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Book 2: Titles 4-9, with index.

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7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-20 (8 F.R. 13431), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Davenport-Rock Island-Moline milk sales area, issued by the Director of Food Distribution on October 1, 1943, is hereby amended by deleting therefrom the provisions in § 1401.52 (h) and inserting, in lieu thereof, the following:

(h) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of the order shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-20, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-20, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit,

action, or other proceeding with respect to any such violation, right, or liability.  
(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-4499; Filed, March 30, 1944;  
12:36 p. m.]

[FDO 79-89, Amdt. 2]

## PART 1401—DAIRY PRODUCTS

## FLUID MILK AND CREAM IN CEDAR RAPIDS, IOWA, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-89 (8 F.R. 15473), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Cedar Rapids, Iowa, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.125 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-89, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-89, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-4500; Filed, March 30, 1944;  
12:36 p. m.]

[FDO 79-90, Amdt. 2]

## PART 1401—DAIRY PRODUCTS

## FLUID MILK AND CREAM IN WATERLOO, IOWA, SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate

the purposes thereof, Food Distribution Order No. 79-90 (8 F.R. 15474), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Waterloo, Iowa, milk sales area, issued by the Director of Food Distribution on November 6, 1943, as amended, is hereby further amended by deleting therefrom the provisions in § 1401.126 (i) and inserting, in lieu thereof, the following:

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, (3) to nursery, elementary, junior high, and high schools, and (4) to the agencies or groups specified in (d) of FDO 79 shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-90, as amended, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-90, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-4501; Filed, March 30, 1944;  
12:36 p. m.]

[FDO 79-98, Amdt. 1]

## PART 1401—DAIRY PRODUCTS

## FLUID MILK AND CREAM IN DECATUR, ILL., SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-98 (8 F.R. 15767), relative to the conservation and distribution of fluid milk, milk byproducts, and cream in the Decatur, Illinois, milk sales area, issued by the Director of Food Distribution on November 16, 1943, is hereby amended by deleting the numeral "20" wherever it appears in § 1401.132 (1) (2) thereof and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-98, rights accrued, or liabilities incurred prior to the effective time of this amendment, said Food Distribution Order No. 79-98, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit,

## FEDERAL REGISTER, Tuesday, April 4, 1944

action or other proceeding with respect to any such violations, right, or liability.  
 (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,  
*Director of Distribution.*

[F. R. Doc. 44-4502; Filed, March 30, 1944;  
 12:36 p. m.]

[FDO 79-99, Amdt. 1]

## PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SPRINGFIELD, ILL.,  
 SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-99 (8 F.R. 15769), relative to the conservation and distribution of fluid milk, milk byproducts, and cream, in the Springfield, Illinois, milk sales area, issued by the Director of Food Distribution on November 16, 1943, is hereby amended by deleting the numeral "20" wherever it appears in § 1401.133 (1) (2) thereof and inserting, in lieu thereof, the numeral "10."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-99, rights accrued, or liabilities incurred, prior to the effective time of this amendment, said Food Distribution Order No. 79-99 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 29th day of March 1944.

LEE MARSHALL,  
*Director of Distribution.*

[F. R. Doc. 44-4503; Filed, March 30, 1944;  
 12:36 p. m.]

[FDO 79-62, Amdt. 1]

## PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, OREG.,  
 METROPOLITAN SALES AREA

Pursuant to Food Distribution Order No. 79 (8 F.R. 12426), dated September 7, 1943, as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-62 (8 F.R. 14264), relative to the conservation and distribution of fluid milk and cream in the Portland, Oregon, metropolitan milk sales area, issued by the Director of Food Distribution on October 19, 1943, is amended by deleting therefrom the description of the sales area in § 1401.107 (b) thereof and inserting, in lieu thereof, the following:

The city of Portland and the precincts within the counties of Multnomah,

Washington, and Clackamas, all in Oregon, as shown on the map on page 899 and listed in Table No. 4, pp. 887 to 894 of the Sixteenth Census of the United States: 1940 (Population, Volume 1); and the city of Vancouver and an area extending 3 miles to the east, north, and west of the city limits of Vancouver in Clark County, Washington.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., April 1, 1944. With respect to violations of said Food Distribution Order No. 79-62, rights accrued, or liabilities incurred, prior to the effective time of this amendment, said Food Distribution Order No. 79-62, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 30th day of March 1944.

LEE MARSHALL,  
*Director of Distribution.*

[F. R. Doc. 44-4601; Filed, March 31, 1944;  
 12:58 p. m.]

## TITLE 14—CIVIL AVIATION

## Chapter I—Civil Aeronautics Board

[Regs., Serial No. 303]

## PART 285—RULES OF PRACTICE

## OBJECTION TO PUBLIC DISCLOSURE OF INFORMATION

Amendment No. 1 of § 285.12.

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of March, 1944.

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1001 thereof, and deeming its action necessary to carry out the provisions of said Act and to exercise its powers and perform its duties thereunder, hereby makes and promulgates the following regulation:

Effective March 8, 1944, paragraph (d) of § 285.12 of the Economic Regulations is hereby amended by adding to subparagraph (3) thereof, the following:

If such motion relates to contracts, agreements, understandings, or arrangements filed pursuant to section 412 (a) of the Civil Aeronautics Act of 1938, as amended, and § 251.1 of the Economic Regulations, or pursuant to § 251.2 of the Economic Regulations, an executed original copy and two copies of such motion shall be filed.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,  
*Secretary.*

[F. R. Doc. 44-4665; Filed, April 3, 1944;  
 10:00 a. m.]

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

## Chapter II—Securities and Exchange Commission

## PART 250—RULES AND REGULATIONS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

## EXTENSION OF DATES FOR COMPLETION AND FILING OF ORIGINAL COST STUDIES

Extension of date for completion and filing of the original cost studies required by § 250.27 [Rule U-27] which relates to classification of accounts prescribed for utility companies not already subject thereto.

Acting pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 15 and 20 (b) thereof, it is hereby ordered by the Securities and Exchange Commission that:

(1) The date on or before which the reporting company is required to complete and file the original cost studies pursuant to the Uniform System of Accounts as prescribed by the Federal Power Commission and/or the National Association of Railroad and Utilities Commissioners, as made applicable to certain registered holding companies or subsidiaries pursuant to § 250.27 [Rule U-27] under the Public Utility Holding Company Act of 1935, is hereby extended to June 30, 1944.

(2) The requirements for submission of entries and balance sheets prescribed in Instruction 2D of the Uniform System of Accounts as prescribed by the Federal Power Commission and/or the National Association of Railroad and Utilities Commissioners, as made applicable to certain registered holding companies and subsidiaries pursuant to § 250.27 [Rule U-27] under the Public Utility Holding Company Act of 1935, are modified so as to specify that every company subject to said rule shall furnish, where applicable, the following statements properly sworn to by the officer in responsible charge of their compilation:

Statement A showing in outline the origin and development of the company including, particularly, a description (giving names of parties and dates) of each consolidation and merger to which the company, or a predecessor, was a party and each acquisition of an electric and/or gas operating unit or system.

Statement B showing for each acquisition by the reporting company or any of its predecessors of an electric and/or gas operating unit or system, the original cost, estimated, if not known, the cost of such company and the amount entered in the books in respect thereto as of the date of acquisition. If the depreciation, retirement or amortization reserve was adjusted as of the date of acquisition and in connection therewith, a full disclosure of the pertinent facts should be made. The difference between the original cost and the amount entered in respect thereto of each acquisition of an electric and/or gas operating unit or system, as of the date of acquisition, should be clearly stated, and a summary of all transactions affecting such dif-

ference between the date of the respective acquisition and the effective date of the applicable Uniform System of Accounts, and the resultant amount on the latter date, should be set forth. The amount to be included in Account 100.5, Electric Plant Acquisition Adjustments and/or Account 100-5, Utility Plant Acquisition Adjustments, as of the effective date of the applicable Uniform System of Accounts, shall be subdivided so as to show the amounts applicable to (a) electric and/or gas plant in service, (b) electric and/or gas plant leased to others, and (c) electric and/or gas plant held for future use. Whenever practical, such amount shall be classified according to nature, i. e., going value, structural value, etc.

Where estimates are used in arriving at original cost or the amount to be included in Account 100.5 and/or Account 100-5, a full disclosure of the method and underlying facts should be given. The method of determining the original cost of the electric and/or gas plant acquired as operating units or systems should be described in sufficient detail to permit a clear understanding of the nature of the investigations which were made for that purpose.

Statement C showing any amounts arrived at by appraisals, recorded prior to the effective date of the applicable Uniform System of Accounts, in the electric and/or gas plant accounts (and not eliminated) in lieu of cost to the reporting company. This statement should give the full journal entry at the time the appraisal was originally recorded and if the entry had the effect of appreciating or writing-up the electric and/or gas plant account, the amount of the appreciation or write-up should be traced, by proper description and explanation of changes, from the date recorded to the effective date of the applicable Uniform System of Accounts.

Statement D showing electric and/or gas plant as of the effective date of the applicable Uniform System of Accounts, as classified in the books of account immediately prior to reclassification in accordance with the applicable system of accounts, including, under a descriptive heading, any unclassified accounts applicable jointly to the electric and/or gas department and other departments of the utility.

Statement E showing summary of adjustments necessary to state, as of the effective date of the applicable Uniform System of Accounts, Account 100, Electric Plant and/or Account 100, Utility Plant, including all its subsidiary accounts, and Account 107 Electric Plant Adjustments and/or Account 107, Utility Plant Adjustments, as prescribed in the applicable Uniform System of Accounts.

Statement F showing electric and/or gas plant (balance sheet Account 100) as of the effective date of the applicable Uniform System of Accounts classified according to the accounts prescribed in said Uniform System of Accounts on that date, and showing also the amount includable in Account 107, Electric Plant

Adjustments and/or Account 107, Utility Plant Adjustments.

Statement G giving a comparative balance sheet, as of the effective date of the applicable Uniform System of Accounts, showing the accounts and amounts appearing in the books before the adjusting entries have been made and after such entries shall have been made.

Statement H giving a suggested plan for depreciating, amortizing, or otherwise disposing in whole or in part of the amounts, as of the effective date of the applicable Uniform System of Accounts, includable in Account 100.5, Electric Plant Acquisition Adjustments and/or Account 100-5, Utility Plant Acquisition Adjustments, and Account 107, Electric Plant Adjustments and/or Account 107, Utility Plant Adjustments.

Effective April 1, 1944.

By the Commission.

[SEAL] ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 44-4644; Filed, April 1, 1944;  
2:05 p. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue

#### Subchapter C—Miscellaneous Excise Taxes

[T. D. 5354]

### PART 143—TAX ON THE TRANSPORTATION OF PROPERTY

#### GOVERNMENTAL EXEMPTIONS

In order to conform Regulations 113 [Part 143, Title 26, Code of Federal Regulations, 1943 Supp.], relating to the tax on the transportation of property, to section 307 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are hereby amended as follows:

PARAGRAPH 1. Section 143.0, Subpart A, is amended by changing the fourth paragraph to read as follows:

Subpart D deals with governmental exemptions.

PAR. 2. Section 143.13 (a), Subpart C, is amended by changing the seventh paragraph to read as follows:

The tax does not apply: (1) to an amount paid outside the United States for the transportation of property from a point without the United States to a point within the United States; (2) to an amount paid by a carrier, freight forwarder, express company, or similar person for the transportation of property with respect to which a tax is payable to such carrier, freight forwarder, express company, or similar person; or (3) to an amount paid for the transportation of property in course of exportation or shipment to a possession of the United States and actually so exported or shipped (see § 143.30). For governmental exemptions see Subpart D.

PAR. 3. Subpart D, as amended by Treasury Decision 5312, approved December 16, 1943, is further amended to read as follows:

#### SUBPART D—GOVERNMENTAL EXEMPTIONS

[SEC. 3475. TRANSPORTATION OF PROPERTY.—As added by section 620 (a) of the Revenue Act of 1942.]

(b) *Exemption of Government transportation.* The tax imposed under this section shall not apply to amounts paid by or to the United States or any agency or instrumentality of the United States for the transportation of property.

PUBLIC LAW 180—78TH CONGRESS, 1ST SESSION.  
APPROVED NOVEMBER 4, 1943

That section 3475 (b) of the Internal Revenue Code (relating to the tax on the transportation of property) is amended to read as follows:

(b) *Government transportation.* The tax imposed under this section shall not apply to amounts paid for the transportation of property to or from the Government of the United States, or any State, Territory, or political subdivision thereof, or the District of Columbia, or to amounts paid to the Post Office Department for the transportation of property.

SEC. 2. The amendment made by section 1 shall take effect with respect to amounts paid, on and after the first day of the first month which begins more than ten days after the date of the enactment of this Act, for the transportation of property on and after such first day.

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, enacted February 25, 1944, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

(9) Section 3475 (b) (relating to governmental exemption from tax with respect to transportation of property) is amended to read as follows:

(b) *Exemption of Government transportation.* The tax imposed under this section shall not apply to (1) amounts paid for the transportation of property to or from the government of a State, Territory of the United States, or political subdivision thereof, or the District of Columbia, or any corporation created by Act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864, (2) amounts paid to the Post Office Department for the transportation of property, or (3) amounts paid by or to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes."

(b) *Period with respect to which applicable.* \* \* \* the amendments made by this section shall apply as follows:

(5) The amendments of sections \* \* \* 3475 (b) of the Internal Revenue Code shall be applicable only with respect to amounts paid on or after the first day of the first month which begins three months or more after the date of the enactment of this Act, except that the amendment of such section 3475 (b), insofar as it relates to the exemption of amounts paid by or to the War Shipping Administration, shall be applicable for the period beginning December 1, 1943, and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

(6) For the purposes of this subsection the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

**§ 143.20 United States Government; general provisions.** An amount paid prior to June 1, 1944, for the transportation of property, where such transportation originated prior to December 1, 1943, is exempt from the tax (1) if paid directly to a carrier by the United States or any agency or instrumentality thereof, or (2) if paid to the United States or any agency or instrumentality thereof. In either case an exemption certificate is not required.

An amount paid during the period December 1, 1943, to May 31, 1944, inclusive, for the transportation, originating on or after December 1, 1943, of property to or from the Government of the United States, is exempt from the tax. Where the shipping papers show the consignor or consignee to be the Government of the United States, or an agency or instrumentality thereof, such papers may be accepted by the carrier as proof of the exempt character of the shipment. A United States Government bill of lading may likewise be accepted as evidence of the exempt character of the shipment. No exemption certificate is required.

For additional exemptions affecting the Post Office Department, the War Shipping Administration, and The American National Red Cross see §§ 143.21 to 143.23, inclusive.

**§ 143.21 Post Office Department.** All amounts paid to the Post Office Department for the transportation of property are exempt from the tax.

**§ 143.22 War Shipping Administration.** An amount paid directly to a carrier by the War Shipping Administration, or an amount paid to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes, is exempt from the tax.

The exemptions under this section shall apply only to amounts paid during the period beginning December 1, 1943, and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

**§ 143.23 The American National Red Cross.** An amount paid on or after December 1, 1943, for the transportation, originating on or after such date, of property to or from The American National Red Cross, is exempt from the tax.

**§ 143.24 States, Territories, etc.** An amount paid directly to a carrier by a State, or political subdivision thereof, for the transportation of property is exempt from the tax.

An amount paid on or after December 1, 1943, for the transportation, originating on or after such date, of property to or from the government of a State, Territory of the United States, or political subdivision thereof, or the District of Columbia, is exempt from the tax. Where the shipping papers show the consignor or consignee to be a State, Territory, or political subdivision thereof, or the District of Columbia, or an agency

or instrumentality of any of the foregoing, such papers may be accepted by the carrier as proof of the exempt character of the shipment.

No certificate of exemption is required.

**§ 143.25 Penalties.** For penalties applicable to any person falsely claiming exemption under §§ 143.20 to 143.24, inclusive, see section 1718 of the Internal Revenue Code, made applicable to the tax on amounts paid for the transportation of property by section 3473 thereof. (See Subpart H.)

(Secs. 3472 and 3791, Internal Revenue Code (53 Stat. 423, 467; 26 U.S.C. 3472, 3791) and sec. 307, Rev. Act of 1943 (Pub. Law 235, 78th Cong.).)

HAROLD N. GRAVES,  
Acting Commissioner  
of Internal Revenue.

Approved: April 1, 1944.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-4655; Filed, April 1, 1944;  
4:39 p. m.]

[T.D. 5353]

#### PART 320—RETAILERS' EXCISE TAXES

##### TAXES ON JEWELRY, FURS, TOILET PREPARATIONS, AND LUGGAGE

In order to conform Regulations 51 [Part 320, Title 26, Code of Federal Regulations, 1941 Supp.], relating to the retailers' excise taxes under the Internal Revenue Code, to sections 301, 302, 303, 307, and 310 of the Revenue Act of 1943 (Public Law 235, 78th Congress), enacted February 25, 1944, such regulations are amended as follows:

**PARAGRAPH 1.** The subheading immediately preceding the heading "Subpart A—Introductory" is amended to read as follows:

Regulations Relating to Excise Taxes on Sales by the Retailer (Chapter 19 of the Internal Revenue Code, Added by Section 552 of the Revenue Act of 1941, and Chapter 9A of the Internal Revenue Code, Added by Section 210 of the Revenue Act of 1940, and Amended by Section 302 of the Revenue Act of 1943).

**PAR. 2.** Section 320.0 is amended to read as follows:

**§ 320.0 Scope of regulations.** These regulations deal with excise taxes imposed by Chapter 19 of the Internal Revenue Code, as added by section 552 of the Revenue Act of 1941, and Chapter 9A of the Internal Revenue Code, as added by section 210 of the Revenue Act of 1940, and amended by section 302 of the Revenue Act of 1943, on sales by the retailer of:

- (a) Jewelry.
- (b) Furs.
- (c) Toilet preparations.
- (d) Luggage.

Taxes on sales of articles in the four classes will be considered hereinafter in the order indicated. The regulations with respect to the imposition, manner

of application, and computation of tax liability are set forth in Subparts B to G, inclusive. The regulations relating to the return and collection of tax and the imposition of penalties and other matters are contained in Subpart H.

**PAR. 3.** Immediately preceding § 320.1, there is inserted the following:

**SEC. 302. INCREASES IN RATES.** (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

#### CHAPTER 9A—WAR TAXES AND WAR TAX RATES

##### SEC. 1655. DEFINITION.

For the purposes of this chapter the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

**PAR. 4.** Section 320.1, as amended by Treasury Decision 5191, approved December 3, 1942, is further amended by adding the following:

(k) The term "war period" means the period beginning April 1, 1944, and running to the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war as proclaimed by the President or as specified in a concurrent resolution of the two Houses of Congress, whichever is earlier.

**PAR. 5.** Immediately preceding § 320.2, there is inserted the following:

**SEC. 301. EFFECTIVE DATE OF THIS TITLE.** (Revenue Act of 1943, Title III, effective April 1, 1944.)

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

**SEC. 302. INCREASES IN RATES.** (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) *In general.* Chapter 9A is amended to read as follows:

#### CHAPTER 9A—WAR TAXES AND WAR TAX RATES

##### SEC. 1654. TERMINATION OF WAR TAXES AND WAR RATES.

The tax imposed by section 1651 shall not apply with respect to any period commencing on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war.

**PAR. 6.** Section 320.2, as amended by Treasury Decision 5191, is further amended by adding at the end thereof the following paragraph:

The provisions of section 302 of the Revenue Act of 1943, relating to the increases in the rates of tax on jewelry, etc., fur articles, and toilet preparations, the imposition of the retailers' excise tax on luggage, etc.; the amendment by section 303 of the Revenue Act of 1943 of section 2401, relating to persons making fur articles from pelts furnished by customers; the amendment by section 302 of the Revenue Act of 1943 affecting section 2405, relating to leases, conditional sales, existing contracts, etc.; and the amendment by section 310 of the Revenue Act

of 1943 of section 2400, exempting silver-plated flatware from the tax on jewelry, etc., become effective in each case on April 1, 1944. The amendment made by section 307 of the Revenue Act of 1943 of section 2406 (a), terminating the exemption with respect to the sale of articles for the exclusive use of the United States, becomes effective on June 1, 1944.

PAR. 7. Immediately preceding § 320.3, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) In general. Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1652. LEASES, CONDITIONAL SALES, EXISTING CONTRACTS, ETC.

(c) Existing contracts—(1) Tax payable by vendee. If (A) any person has, prior to the effective date of Title III of the Revenue Act of 1943, made a bona fide contract for the sale on or after such date, of any article with respect to the sale of which a tax is imposed by that Act or an existing rate of tax is increased by that Act, and (B) such contract does not permit the adding to the amount to be paid under such contract of the whole of such tax or increased rate of tax, then (unless the contract prohibits such addition) the vendee shall, in lieu of the vendor, pay so much of the tax as is not so permitted to be added to the contract price.

(2) Tax paid to vendor. Taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated, and shall be collected and paid to the United States by the vendor in the same manner as provided in section 3467. In cases of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner who shall cause collection of such taxes to be made from the vendee.

PAR. 8. Section 320.3 is amended by adding at the end thereof the following paragraphs:

Under section 1652 (c), as added by section 302 of the Revenue Act of 1943, if certain conditions exist, the liability for the retailer's tax on luggage, etc., and the increases in existing retailers' taxes, imposed by the Revenue Act of 1943, is shifted from the retailer to the vendee. (See § 320.10.)

The conditions under which such liability is shifted are as follows: first, there must be a bona fide contract made by a retailer prior to April 1, 1944, for the sale on or after such date of an article with respect to which a retailers' excise tax is imposed, or the rate of an existing retailers' excise tax is increased, by the Revenue Act of 1943; second, the contract must not provide for the addition of such tax or increase in tax to the amount payable under such contract; and third, the contract must not expressly, or by implication, prohibit such addition to the contract price. Where these conditions are present the vendee becomes liable for the tax or additional tax imposed by the Revenue Act of 1943. In all other cases, the liability remains upon the retailer and the full amount of the tax is payable by him.

A contract which provides that the tax shall be paid by the vendor, or otherwise negatives any addition to the contract price, is regarded as prohibiting an addition of the tax to such price.

A vendee who is required to pay the tax shall make payment thereof to the vendor at the time the sale is consummated, and the tax shall be returned and paid to the collector by the vendor. (See § 320.70.) In case of a failure or refusal by the vendee to pay the tax to the vendor, the vendor shall report the facts to the Commissioner for direct collection of the tax from the vendee.

PAR. 9. Immediately preceding § 320.10, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) In general. Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1652. LEASES, CONDITIONAL SALES, EXISTING CONTRACTS, ETC.

(a) Cases where rate of tax increased. In the application of section 2405 \* \* \* to the articles with respect to which the rate of tax is increased by this chapter, where the lease, contract of sale, conditional sale, or chattel mortgage was made, delivery thereunder was made, and a part of the consideration was paid, before the effective date of Title III of the Revenue Act of 1943, the total tax referred to in such section shall be the tax at the rate in force on the day before such effective date.

(b) Cases where new tax imposed. In the case of (1) a lease, (2) a contract for the sale of an article wherein it is provided that the price shall be paid by installments and title to the article sold does not pass until a future date notwithstanding partial payment by installments, (3) a conditional sale, or (4) a chattel mortgage arrangement wherein it is provided that the sales price shall be paid in installments, no tax shall be imposed under section 1651 on the sale of any article if with respect to such article the lease, contract for sale, conditional sale, or chattel mortgage arrangement was made, delivery thereunder was made, and a part of the consideration was paid, before the effective date of Title III of the Revenue Act of 1943.

PAR. 10. Section 320.10, as amended by Treasury Decision 5191, is further amended by adding at the end thereof the following paragraphs:

If (1) the lease, installment sale, conditional sale, or chattel mortgage arrangement, (2) delivery of the article under the contract, and (3) payment of a part of the consideration, were made prior to April 1, 1944, the tax due is at the rate in force on March 31, 1944, and not at the increased rate provided for in section 1650 of the Internal Revenue Code, as amended by section 302 of the Revenue Act of 1943.

In the case of articles taxable under section 1651 of the Internal Revenue Code, as added by section 302 of the Revenue Act of 1943, (relating to luggage, etc.), the tax does not apply if (1) the lease, or installment sale, or conditional sale contract, or chattel mortgage arrangement, (2) delivery of the article under the contract, and (3) payment of

a part of the consideration, were made prior to April 1, 1944.

PAR. 11. Immediately preceding § 320.20, there is inserted the following:

SEC. 307. TERMINATION OF CERTAIN GOVERNMENTAL EXCISE TAX EXEMPTIONS. (Revenue Act of 1943, Title III.)

(a) The several sections of the Internal Revenue Code hereinafter enumerated are amended as follows:

(1) Section 2406 (a) (relating to tax-free sales under Chapter 19) is amended to read as follows:

(a) for the exclusive use of any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia;

(b) Period with respect to which applicable. \* \* \* the amendments made by this section shall apply as follows:

(1) The amendments of sections 2406 (a) \* \* \* of the Internal Revenue Code shall be applicable to sales made on or after the first day of the first month which begins three months or more after the date of the enactment of this Act. Such amendments shall not apply to deny an exemption otherwise applicable with respect to any article sold pursuant to a contract entered into prior to the effective date of the amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

PAR. 12. The first paragraph of § 320.20, is amended to read as follows:

Under section 2406 (a) prior to the amendment thereof by section 307 (a) (1) of the Revenue Act of 1943, no tax attaches to articles sold by the retailer direct to the United States, any State, Territory of the United States, or any political subdivision of the foregoing, or the District of Columbia, for its exclusive use, provided the exempt character of the sale is established as required by these regulations. By virtue of the amendment of section 2406 (a), sales of articles by the retailer to the United States on or after June 1, 1944, are not exempt from tax, unless the sale is made pursuant to a contract entered into prior to such date, or to any agreement or change order supplemental to such contract bearing the same Government contract number.

PAR. 13. Immediately preceding § 320.30 there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) In general. Chapter 9A is amended to read as follows:

CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

## FEDERAL REGISTER, Tuesday, April 4, 1944

Section	Description of tax	Old rate	War tax rate
2400 (except as respects watches selling at retail for not more than \$65 and alarm clocks selling at retail for not more than \$5).	Jewelry.	10 per centum.	20 per centum.
*	*	*	*

SEC. 310. EXEMPTION OF SILVER-PLATED FLATWARE FROM TAX ON JEWELRY. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 2400 (relating to the retailers' excise tax with respect to jewelry, etc.) is amended by striking out "gold, gold plated, silver, silver-plated or sterling flatware or hollow ware" and inserting in lieu thereof "gold, gold plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware".

PAR. 14. Subparagraph (4) of § 320.30 is amended to read as follows:

(4) Articles specifically mentioned in section 2400, such as watches, clocks, cases and movements therefor, gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses; and binoculars.

PAR. 15. The parenthetical phrase at the end of the second paragraph of § 320.31, as added by Treasury Decision 5102, is amended to read as follows:

(But see § 320.33 as to the taxability of articles where made of, or ornamented, mounted or fitted with, precious metals or imitations thereof, and § 320.61 relating to the taxability of purses, handbags, pocketbooks, etc.)

PAR. 16. Section 320.33, as amended by Treasury Decision 5191, is further amended by striking out the second paragraph.

PAR. 17. Section 320.35 is amended to read as follows:

§ 320.35 Gold, gold-plated, silver, or sterling flatware or hollow ware, and silver-plated hollow ware. The tax is imposed on the sale at retail of any gold, gold-plated, silver, or sterling flatware or hollow ware, and any silver-plated hollow ware. The terms "flatware and hollow ware" include all articles commonly or commercially known and sold as such in the trade. Any gold, gold-plated, silver, silver-plated, or sterling article which is not so known or sold in the trade as flatware or hollow ware, is subject to the tax as an article made of, ornamented, mounted or fitted with precious metals or imitations thereof.

No tax attaches to the sale at retail of any article commonly or commercially known or sold in the trade as "silver-plated flatware".

PAR. 18. Section 320.36 is amended by striking out the last sentence.

PAR. 19. Section 320.37, as amended by Treasury Decision 5102, is further amended by striking out the last paragraph.

PAR. 20. Section 320.38 is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 per cent of the price for which such articles are sold, except watches selling at retail for \$65 or less, and alarm clocks selling at retail for \$5 or less, which watches and alarm clocks are subject to the rate of 10 per cent.

PAR. 21. Immediately preceding § 320.40, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) In general. Chapter 9A is amended to read as follows:

#### CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
2401...	Furs.....	10 per centum.	20 per centum.
*	*	*	*

SEC. 303. PERSONS MAKING FUR ARTICLES FROM PELTS FURNISHED BY CUSTOMER. (Revenue Act of 1943, Title III, effective April 1, 1944.)

Section 2401 (relating to the retailers' excise tax with respect to fur articles) is amended by inserting at the end thereof the following: "Where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces an article of the kind described in this section from fur on the hide or pelt furnished, directly or indirectly, by a customer and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail for purposes of this section. The tax on such a transaction shall be computed and paid by such person upon the fair retail market value, as determined by the Commissioner, of the finished article."

PAR. 22. Section 320.41 is renumbered § 320.42, and a new § 320.41 is inserted to read as follows:

§ 320.41 Fur articles made from pelts furnished by customers. On and after April 1, 1944, where a person, who is engaged in the business of dressing or dyeing fur skins or of manufacturing, selling, or repairing fur articles, produces a taxable fur article from fur on the hide or pelt furnished, directly or indirectly, by a customer, and the article is for the use of, and not for resale by, such customer, the transaction shall be deemed to be a sale at retail and the person producing the article shall be deemed to be the person selling such article at retail for the purposes of the tax.

The tax applicable to such transactions is to be computed upon the fair retail market value of the finished article, as determined by the Commissioner. Generally the fair retail market value may be considered as the retail sales price for which the same or a similar finished article is sold by retailers generally in the ordinary course of the retail trade.

PAR. 23. Renumbered § 320.42, is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 per cent of the price for which such articles are sold.

PAR. 24. Immediately preceding § 320.50, there is inserted the following:

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) In general. Chapter 9A is amended to read as follows:

#### CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1650. WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES.

In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
2402	Toilet preparations....	10 per centum.	20 per centum.
*	*	*	*

PAR. 25. Section 320.50, is amended by striking out the third paragraph.

PAR. 26. Section 320.51, is amended by adding at the end thereof a sentence as follows:

For the war period the rate of tax is 20 percent of the price for which such articles are sold.

PAR. 27. The heading "Subpart G—Miscellaneous Provisions" following § 320.52 is amended to read "Subpart H.—Miscellaneous Provisions", and the sections thereof are changed as follows: 320.60 to 320.70; 320.61 to 320.71; 320.62 to 320.72; 320.63 to 320.73; 320.64 to 320.74; 320.65 to 320.75; 320.66 to 320.76; 320.67 to 320.77; and 320.68 to 320.78.

PAR. 28. Immediately after § 320.52, there is inserted a new Subpart G, as follows:

#### SUBPART G—LUGGAGE, ETC.

SEC. 302. INCREASES IN RATES. (Revenue Act of 1943, Title III, effective April 1, 1944.)

(a) In general. Chapter 9A is amended to read as follows:

#### CHAPTER 9A—WAR TAXES AND WAR TAX RATES

SEC. 1651. RETAILERS' EXCISE TAX ON LUGGAGE, ETC.

(a) Tax. There is hereby imposed upon the following articles (including in each

case fittings or accessories therefor sold on or in connection with the sale thereof) sold at retail a tax equivalent to 20 per centum of the price for which so sold:

(1) Trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, and salesmen's sample and display cases.

(2) Purses, handbags, pocketbooks, wallets, billfolds, and card, pass, and key cases.

(3) Toilet cases and other cases, bags, and kits (without regard to size, shape, construction, or material from which made) for use in carrying toilet articles or articles of wearing apparel.

**§ 320.60 Scope of tax.** The tax imposed by section 1651, as added by section 302 of the Revenue Act of 1943, attaches to the sale by the retailer on and after April 1, 1944, of all articles commonly and commercially known or sold as:

(1) Trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, and salesmen's sample and display cases;

(2) Purses, handbags, pocketbooks, wallets, billfolds, and card, pass, and key cases; and,

(3) Toilet cases and other cases, bags, and kits (without regard to size, shape, construction, or material from which made) for use in carrying toilet articles or articles of wearing apparel.

The terms "trunks", "valises", "traveling bags", "suitcases", "satchels", "overnight bags", "beach bags", "bathing suit bags", and "salesmen's sample and display cases", include all receptacles which are commonly and commercially known and sold as such regardless of their design, size, materials from which made, or the purpose for which they are to be used.

The term "hat boxes for use by travelers" includes all receptacles commonly and commercially known and sold as such, which are designed for the purpose of conveying or carrying hats by hand or otherwise in traveling.

The term "brief cases made of leather or imitation leather" includes all receptacles commonly or commercially known and sold as such, which are made of leather or imitation leather, regardless of size or the purpose for which purchased. This term also includes so-called "ring binders", "portfolios", "envelopes", etc., which are made of leather or imitation leather, regardless of size, provided such articles are capable of being closed on all four sides by means of a zipper, lock, snap fastener, or some other such device.

The terms "purses", "handbags", "pocketbooks", "wallets", "billfolds", and "card, pass, and key cases" include receptacles commonly and commercially known and sold as such, regardless of design, size, or materials from which made, or the purpose for which they are to be used.

The terms "toilet cases", and "other cases, bags, and kits", include all recep-

tacles commonly and commercially known and sold for use in carrying toilet articles or articles of wearing apparel, regardless of their size, shape, construction, or materials from which made. These terms also include so-called "utility bags", "furlough bags" and similar articles.

**§ 320.61 Rate of tax.** The tax is payable by the retailer. The tax rate is 20 per cent of the price for which the articles are sold. The tax applies to all sales made on and after April 1, 1944, as determined under §§ 320.5 to 320.10, inclusive, and § 320.74.

No credit or refund shall be allowed against the retailers' tax due on luggage, etc., for any tax previously paid by the manufacturer on his sale thereof under the provisions of section 3406 (a) (2) of the Code.

**PAR. 29.** Immediately preceding the subheading "Records, Statements, and Special Returns" under relettered Subpart H—Miscellaneous Provisions, there is inserted the following:

**SEC. 1651. RETAILERS' EXCISE TAX ON LUGGAGE, ETC.** (As added by section 302, Revenue Act of 1943.)

(b) *Other laws applicable.* All provisions of law (including penalties) applicable in respect of the taxes imposed by Chapter 19 shall be applicable in respect of the tax imposed by subsection (a).

**PAR. 30.** Renumbered § 320.70 is amended by adding at the end thereof the following paragraph:

The taxes collected and paid under section 1652 (c), as added by section 302 of the Revenue Act of 1943 (see § 320.3), should be included in the regular monthly return on Form 728A filed by the vendor as prescribed above. If a vendee, liable for the tax, refuses to pay to the vendor the tax due, the vendor should report to the Commissioner the name and address of such vendee, the nature of the transaction, the amount involved in the contract, and the date of the payment of such amount. A copy of the contract involved should also be furnished.

**PAR. 31.** The last sentence of renumbered § 320.71, is amended by changing "§ 320.67" to read "§ 320.77."

(Secs. 301, 302, 303, 307, and 310 of the Revenue Act of 1943 (Public Law 235, 78th Congress), and secs. 2410 and 3791 of the Internal Revenue Code (53 Stat., 467; 26 U.S.C., 194 ed., 2410, 3791))

[SEAL] HAROLD N. GRAVES,  
Acting Commissioner  
of Internal Revenue.

Approved: March 31, 1944.

JOHN L. SULLIVAN,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-4600; Filed, March 31, 1944;  
12:32 p. m.]

## TITLE 30—MINERAL RESOURCES

### Chapter VI—Solid Fuels Administration for War

[Reg. 21]

### PART 602—GENERAL ORDERS AND DIRECTIVES

#### RETAIL DELIVERIES OF BITUMINOUS COAL AND WESTERN COKE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of bituminous coal and western coke for defense, for private account and for export; and the following regulation is deemed necessary and appropriate in the public interest and to promote the national defense:

Sec.

602.410 What this regulation does.

602.411 Definitions.

602.412 Responsibility of retail dealers distributing bituminous coal, western coke, briquettes or packaged fuel must be faithfully discharged.

602.413 Restrictions upon retail dealer deliveries and consumer receipts of bituminous coal, western coke, briquettes and packaged fuel.

602.414 Procedure governing deliveries by retail dealers of bituminous coal, western coke, briquettes and packaged fuel.

602.415 Restrictions upon deliveries and receipts of bituminous coal, western coke, briquettes and packaged fuel when used in conjunction with or in addition to certain other solid fuels.

602.416 General restrictions upon retail dealer deliveries of bituminous coal for industrial use or production of power.

602.417 Consumer declarations.

602.418 Limitations upon applicability of this regulation.

602.419 How consumers who need solid fuels may obtain assistance.

602.420 Records.

602.421 Audit and inspection.

602.422 Violations.

602.423 Damages for breach of contract.

602.424 Application for modification and exceptions; inquiries and communications.

602.425 Official interpretations.

602.426 Regulations revoked hereby.

602.427 Effective date.

AUTHORITY: §§ 602.410 to 602.427, inclusive issued under E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; WPB Directive No. 33, 9 F.R. 64; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

**§ 602.410 What this regulation does.** This regulation provides the basic governmental control over the distribution by retail dealers to consumers of bituminous coal produced in Districts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13. It also applies to the distribution by retail dealers of western coke, briquettes and packaged fuel. Under the regulation no retail dealer may deliver to any consumer, and no consumer may receive from all sources combined, more bituminous coal, western coke, briquettes and packaged fuel than such consumer will need, in addition to his inventory on April 1, 1944,

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to meet his heating requirements during the 1944-1945 coal year (April 1, 1944-March 31, 1945, inclusive).

Among the solid fuels to which this regulation applies, certain sizes and kinds will be considerably scarcer than others. Consumers will not be able to obtain as much of these scarcer solid fuels (namely, certain domestic sizes of bituminous coal produced in District 7 and District 8, western coke, briquettes and packaged fuel) as they will want. More stringent limitations must be placed upon the retail dealer distribution of the scarcer solid fuels, in order to secure their equitable distribution. Up to October 1, 1944, no retail dealer may deliver to a consumer, and no consumer may receive from all sources combined, a tonnage of the scarcer solid fuels which exceeds 75 percent of the consumer's annual requirements, less his April 1, 1944 inventory.

In areas where alternative and less scarce solid fuels, such as Districts 4, 9, 10, 11 or 12 coals, are available, it is estimated that not more than 75 per cent of the consumer's annual requirements to March 31, 1945, less his April 1, 1944 inventory, will be met by the scarcer solid fuels (certain sizes of Districts 7 and 8 coal, western coke, briquettes and packaged fuel). Therefore, consumers in such areas must, unless they wish to go through the winter with less than an adequate tonnage of solid fuels, put the alternative and less scarce solid fuels into their bins during the spring and summer to the extent of not less than 25 per cent of their annual requirements. Dealers, in the area in which Districts 4, 9, 10, 11 or 12 coals are obtainable, must, therefore, in the interest of protecting the communities which they serve, arrange to have available an adequate supply of those alternative and less scarce solid fuels for delivery during the spring and summer to their customers. Moreover, retail dealers may refuse to deliver the scarcer fuels to consumers whose burning equipment permits the use of an alternative solid fuel, provided that the dealer is ready, willing and able to provide the consumer with such other solid fuel.

If retail dealers and consumers cooperate with one another and SFAW in the early delivery of the alternative and less scarce solid fuels and if the utmost conservation is practiced by consumers, it is estimated that there will be sufficient usable coal of one kind or another for everyone. The responsibility of dealers under this regulation is to spread their available supply equitably among all consumers; the responsibility of consumers under this regulation is to refrain from duplicating or inflating their orders for coal and to conserve their fuel supply; it is the responsibility of both the retail dealers and the consumers to obey all provisions of this regulation.

**§ 602.411 Definitions.** (a) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or organized group of persons.

(b) "Coal" or "bituminous coal" means, unless otherwise specifically indicated, bituminous and subbituminous

coal produced in Districts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11 and 13, as described in the Annex to the Bituminous Coal Act of 1937, as amended.

(c) "Solid fuels" include any form of anthracite, semianthracite, bituminous, subbituminous or lignitic coals or coke (including packaged and processed fuels such as briquettes).

(d) "Coke" means coke which is produced from bituminous coal.

(e) "Eastern coke" means coke delivered by retail dealers to consumers in the District of Columbia, and the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, and that portion of Pennsylvania which is east of a straight line drawn from the southern to the northern boundary of Pennsylvania through the western boundary of Gettysburg, in Adams County, and Lock Haven, in Clinton County.

(f) "Western coke" means all coke, except eastern coke, delivered by retail dealers to consumers.

(g) "Scarcer kinds of solid fuels" means (1) all lump, egg, stove, nut, pea, domestic mine run or straight mine run bituminous coal produced in the low volatile fields of District 7 or District 8, (2) all lump, egg, stove or nut bituminous coal produced in the high volatile fields of District 7 or District 8, (3) western coke and (4) packaged fuel or briquettes.

(h) "Alternative solid fuels" means all forms of bituminous coal other than the scarcer kinds of solid fuels.

(i) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or dock operator) to the extent that he acts in the capacity of a supplier, shipper or seller of solid fuels in any transaction involving a shipment, sale, or sale and delivery, of broken bulk solid fuels physically handled in a truck, wagon or other less than carload facility, without regard to quantity or frequency of delivery.

(j) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck scales.

(k) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(l) "Consumer" means any person who acquires solid fuels for space heating, domestic hot water or domestic cooking except to the extent that he acquires such solid fuels for space heating incidental to an industrial process or the production of power.

(m) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of solid fuels consumed for space heating does not exceed 40 percent of the total annual tonnage of solid fuels consumed in the industrial process, the production of power and the space heating.

(n) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the operation of a commercial bakery or

laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, schools, and office buildings.

(o) "Consumer's annual requirements" means the number of tons of solid fuels burned at the premises of a consumer (and if such premises has two or more units of heating equipment which customarily burn different sizes of solid fuels, the number of tons burned in each unit) during the period April 1, 1942, to March 31, 1943, inclusive; or, in the event solid fuels were not burned as the principal fuel in such premises (or in such heating units) during such period, the number of tons of solid fuels which were burned in other premises (or units) similar thereto in the same locality during the same period.

(p) "Consumer's inventory" means the number of tons of solid fuels in storage at the consumer's premises, or under the consumer's control, on April 1, 1944.

(q) "Deliveries to mine employees" means sale or deliveries of bituminous coal to such employees of producers of bituminous coal as are engaged in mining operations or functions directly connected therewith in the vicinity of the mining operations.

(r) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(s) "SFAW" means Solid Fuels Administration for War.

**§ 602.412 Responsibility of retail dealers distributing bituminous coal, western coke, briquettes or packaged fuel must be faithfully discharged.** (a) Each equipped or unequipped retail dealer who has or receives any bituminous coal, western coke, packaged fuel or briquettes has the responsibility for distributing such solid fuels equitably in strict accordance with the provisions of this regulation. Any dealer who does not discharge that responsibility faithfully may be precluded in whole or in part by SFAW from receiving bituminous coal and other solid fuels.

(b) It is anticipated that retail dealers generally will receive from their sources of supply considerably less of the scarcer kinds of solid fuels (such as certain sizes of District 7 and District 8 coal) than consumers in the aggregate would like to purchase. No equipped or unequipped retail dealer should undertake to deliver, in the aggregate, to the consumers he serves a tonnage of the scarcer kinds of solid fuels which exceeds the tonnage of such fuels he reasonably expects to receive in view of applicable regulations and such advice as he may receive from his sources of supply.

**§ 602.413 Restrictions upon retail dealer deliveries and consumer receipts of bituminous coal, western coke, briquettes and packaged fuel.** (a) During the period April 1, 1944-March 31, 1945, inclusive, no equipped or unequipped retail dealer may deliver, and no consumer may receive from all sources combined, any bituminous coal, western coke, pack-

aged fuel or briquettes, or any or all of them in combination, in an amount which when added to (1) the consumer's inventory of solid fuels as of April 1, 1944, and (2) the tonnage of solid fuels received by the consumer after April 1, 1944, exceeds 100 per cent of the consumer's annual requirements for solid fuels.

(b) Subject to the provisions of paragraphs (c) and (d) of this section, during the period April 1, 1944 to October 1, 1944, inclusive, no equipped or unequipped retail dealer may deliver, and no consumer may receive from all sources combined, the scarcer kinds of solid fuels (certain sizes of District 7 and District 8 coal, western coke, briquettes, packaged fuel, or any or all of them in combination) in an amount which when added to (1) the consumer's inventory of such solid fuels as of April 1, 1944, and (2) the tonnage of such solid fuels received by the consumer after April 1, 1944, exceeds 75 per cent of the consumer's annual requirements for solid fuels.

(c) In applying the percentage of permissible shipments under provisions of this regulation, the retail dealer may, in respect to one-half ton or a larger fraction, deliver, and the consumer may receive, a full ton; and conversely, in applying the percentage of permissible shipments under provisions of this regulation, the retail dealer may disregard a fraction of less than one-half ton. For example, if application of the percentage of permissible shipments indicates that two and one-half tons may be delivered, the dealer may deliver three tons; if the application of the percentage of permissible shipments indicates that two and one-third tons may be delivered, the dealer may disregard the one-third ton and deliver two tons.

(d) In the practical application of the provisions of paragraph (b) of this section, a retail dealer may deliver to a consumer, and such consumer may receive, one load or three tons, whichever is less, of bituminous coal, western coke, briquettes or packaged fuel if it is necessary to do so in order to assure maximum effective utilization of transportation facilities available to the retail dealer: *Provided, however, That the tonnage so delivered shall not, when added to (1) the consumer's inventory of solid fuels as of April 1, 1944, and (2) the tonnage of solid fuels received by the consumer after April 1, 1944, exceed the consumer's annual requirements for solid fuels.*

**§ 602.414 Procedure governing deliveries by retail dealers of bituminous coal, western coke, briquettes and packaged fuel.** (a) No equipped or unequipped retail dealer may deliver to a consumer, and no consumer may receive from any person, the scarcer kinds of solid fuels (certain sizes of District 7 and District 8 coal, western coke, briquettes and packaged fuel) if the consumer inflates, duplicates or pyramids his orders for solid fuels.

(b) No equipped or unequipped retail dealer shall discriminate in the delivery of bituminous coal, western coke, packaged fuel, or briquettes, as between or among consumers who are equally en-

titled to receive such solid fuels under this regulation, provided, however, that retail dealers shall accord first preference in the delivery of such solid fuels to consumers who have less than a five days' supply of usable solid fuel on hand.

(c) Nothing in this regulation shall be deemed to require any retail dealer to deliver the scarcer kinds of solid fuels (certain sizes of District 7 and District 8 bituminous coal, western coke, briquettes and packaged fuel) to a consumer whose burning equipment permits the use of alternative solid fuels, provided that the retail dealer is ready, willing and able to supply such consumer with such other alternative solid fuels.

**§ 602.415 Restrictions upon deliveries and receipts of bituminous coal, western coke, briquettes and packaged fuel when used in conjunction with or in addition to certain other solid fuels.** During the period April 1, 1944-March 31, 1945, in-

clusive, some consumers may want to use some of the solid fuels to which this regulation applies in conjunction with or in addition to other solid fuels (anthracite and eastern coke) to which SFAW Regulation No. 17 (9 F.R. 3193) applies. For example, some consumers may wish to receive bituminous coal, western coke and anthracite; or bituminous coal, eastern coke and anthracite; or certain of the scarcer kinds of solid fuels, as defined in this regulation (certain sizes of District 7 and District 8 coal, briquettes or packaged fuel) and anthracite or eastern coke. However, no equipped or unequipped retail dealer wherever located may deliver to a consumer, and no consumer may receive from all sources combined, an aggregate tonnage of the different solid fuels in excess of the amounts permitted to be delivered and received under this regulation and SFAW Regulation No. 17, as indicated by the following illustrative table:

Solid fuels to be delivered or received.....	Maximum percentage of consumer's annual requirements which may be delivered or received to Oct 1, 1944 (appropriate deduction to be made for consumer's Apr. 1, 1944 inventory).
(1) Certain sizes of Districts 7 and 8 coals, western coke, briquettes, packaged fuel (or any of them) and (2) anthracite.	75 percent (not more than 50 percent may be anthracite).
(1) Certain sizes of Districts 7 and 8 coal, briquettes, packaged fuel (or any of them) and (2) anthracite or eastern coke (or both of them).	75 percent (not more than 50 percent may be anthracite or eastern coke or both).

**§ 602.416 General restrictions upon retail dealer deliveries of bituminous coal for industrial use or production of power.** No equipped or unequipped retail dealer may deliver and no person may acquire from all sources combined during the period April 1, 1944-March 31, 1945, inclusive, bituminous coal for use in an industrial process or for the production of power or for space heating which is incidental thereto in an amount which when added to solid fuels in the possession or under the control of such person exceeds the amount needed to meet annual requirements to March 31, 1945.

**§ 602.417 Consumer declarations.** (a) Unlike SFAW Regulation No. 17 (which regulates retail dealer deliveries of anthracite and eastern coke), this regulation does not now require the filing of consumer declarations by consumers of bituminous coal, western coke, packaged fuel or briquettes.

(b) However, the SFAW may, after considering such recommendation as may be made, prior to SFAW action, by any SFAW Area Advisory Committee on Local Distribution or Community Committee on Emergency Distribution, require the filing with retail dealers of consumer declarations by consumers in certain areas before bituminous coal, western coke, briquettes or packaged fuel may be delivered or received.

**§ 602.418 Limitations upon applicability of this regulation.** This regulation does not apply to deliveries of bituminous coal, western coke, briquettes and

packaged fuel to, or to the acquisition of such solid fuels by:

(1) The United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(2) Any person, including a governmental agency, who acquires such solid fuels for export to and use in any foreign country;

(3) Commercial fishing vessels or water-borne vessels engaged in the commercial transportation of cargo or passengers;

(4) Mine employees; or

(5) Except as provided in § 602.416, any person to the extent that he acquires such solid fuels for use in an industrial process or for the production of power or for space heating which is incidental thereto.

**§ 602.419 How consumers who need solid fuels may obtain assistance.** (a) A consumer who has received less solid fuels than is permitted under § 602.413 of this regulation and who (1) has less than five days' supply of solid fuels on hand, (2) is unable to obtain a supply of solid fuels either from his retail dealer or other retail dealers, and (3) is willing to accept any solid fuel which may reasonably be used in his burning equipment may obtain assistance from one of the following:

(i) The nearest local representative or any State Fuel Administration functioning under a plan of cooperation proposed by the Governor of the State and approved by SFAW. (Such plans have

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heretofore been proposed for the States of Connecticut, Massachusetts, New Hampshire and Rhode Island and have been approved by SFAW); or

(ii) The nearest SFAW Area Advisory Committee on Local Distribution to be appointed pursuant to SFAW Order No. 12 (9 F.R. 2206). (A list of such committees will be published prior to September 15, 1944); or

(iii) The nearest SFAW Community Committee on Emergency Distribution to be appointed pursuant to SFAW Order No. 12 (a list of such committees will be published from time to time); or

(iv) The nearest regional or field office of SFAW.

(b) A consumer also may advise with any of the representatives, committees or officer, referred to in paragraph (a) of this section, in regard to any complaint as to the operation of this regulation.

§ 602.420 *Records.* Each retail dealer shall keep and preserve for a period of not less than two years accurate and complete records of the details of any transaction to which any portion of this regulation applies.

§ 602.421 *Audit and inspection.* All records required to be kept by this regulation shall upon request be submitted for inspection, copy and audit by duly authorized representatives of SFAW.

§ 602.422 *Violations.* Any person who wilfully violates any provision of this regulation or who by any act or omission falsifies records kept or information furnished in connection with this regulation is guilty of a crime and upon conviction may be punished by fine or imprisonment, or both; and such person may also be prohibited from delivering or receiving any material under priority control.

§ 602.423 *Damages for breach of contract.* No retail dealer shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.424 *Application for modification and exception; inquiries and communications.* Any application by a retail dealer for modification of or exception from any provision of this regulation shall be filed in triplicate with the appropriate Regional Office of SFAW for the area in which the dealer is engaged in business. The application shall set forth in detail the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of the request for modification or exception. The Regional Representative, Area Distribution Manager, or other person in charge of the Regional Office of SFAW shall, after considering the recommendation of the SFAW Area Advisory Committee on Local Distribution, send such application and his recommendation thereon, to the Solid Fuels Administration for War, Washington 25, D.C., for appropriate action.

Any other person subject to or affected by this regulation should address inquiries and communications or requests

for relief in respect to any provision of this regulation to the nearest office of SFAW.

§ 602.425 *Official interpretations.* Official interpretations shall be given only in writing, signed by the Administrator, the Deputy Administrator or the General Counsel of SFAW.

§ 602.426 *Regulations revoked hereby.* Solid Fuels Administration for War Revised Regulation No. 7 (8 F.R. 15442), as amended, is hereby revoked as of the effective date of this regulation: *Provided, however,* That civil or criminal liabilities incurred under the provisions of that regulation shall not be affected by this revocation.

§ 602.427 *Effective date.* This regulation shall become effective at 12:01 a.m., April 1, 1944.

Issued this 31st day of March 1944.

ABE FORTAS,  
Acting Solid Fuels  
Administrator for War.

[F. R. Doc. 44-4683; Filed, April 3, 1944;  
10:36 a. m.]

## TITLE 47—TELECOMMUNICATION

## Chapter I—Federal Communication Commission

[Order 66-A]

PART 8—RULES GOVERNING SHIP SERVICE<sup>1</sup>

## EXTENSION OF SEVEN-YEAR LIMITATION PROVISION FOR AUTOMATIC ALARM RECEIVERS

At a session of the Federal Communications Commission held on the 28th day of March 1944, at its offices in Washington, D. C.:

It appearing that by Commission Order No. 66 (5 F.R. 1285), dated April 1, 1940, certain types and models of automatic alarm receivers were approved as meeting the Commission's Auto Alarm Requirements and Type Tests, promulgated under date of October 1, 1935,

*"Provided,* That approval of a particular individual automatic alarm receiver of any one of the above-mentioned types, installed on a ship for the purpose of complying with treaty or Title III, Part II of the Communications Act of 1934, as amended, shall not extend beyond the date seven years following the date when the particular alarm in question was first put into service aboard a ship.";

and it further appearing that subsequent to the adoption of Order No. 66, certain other types of auto alarms which constitute modified models of those originally approved, have been approved from time to time by the Commission; and

It further appearing that nearly seven years have elapsed since auto alarms of certain types and models approved by the Commission were first placed in service on board ships; and

It further appearing that because of conditions brought about by the war in which the United States is now engaged,

no new specifications for automatic alarm receivers have been drawn by the Commission to supersede the Auto Alarm Requirements and Type Tests, promulgated under date of October 1, 1935;

Therefore, it is ordered, That the seven year limitation contained in the above-cited proviso of Commission Order No. 66, dated April 1, 1940, be, and it is hereby extended until further order of the Commission.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 44-4714; Filed, April 3, 1944;  
10:49 a. m.]

## TITLE 50—WILDLIFE

## Chapter I—Fish and Wildlife Service

## PART 25—SOUTHERN REGION NATIONAL WILDLIFE REFUGES

## NOXUBEE NATIONAL WILDLIFE REFUGE, MISS.

Under authority of section 10 of the Migratory Bird Conservation Act, of February 18, 1929 (45 Stat. 1222; 16 U.S.C. 715i), as amended, the following is hereby ordered:

§ 25.691 *Noxubee National Wildlife Refuge, Mississippi; fishing.* Noncommercial fishing is permitted in the Noxubee National Wildlife Refuge, Mississippi, during the daylight hours from May 1 to October 31, inclusive, of each year in the waters specified herein, in accordance with the provisions of the Regulations for the Administration of National Wildlife Refuges Under the Jurisdiction of the Fish and Wildlife Service, dated December 19, 1940,<sup>1</sup> and subject to the following conditions, restrictions, and requirements:

(a) *Waters open to fishing.* Bluff Lake shall be open to fishing.

(b) *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Mississippi. Fishing under this regulation shall be by hook and line (including rod and reel) only, as defined by State law, and the use of trot and set lines and other similar contrivances is prohibited.

(c) *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Mississippi State Game and Fish Commission, if such license is required. This license shall serve as a Federal permit for fishing in the specified waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Mississippi State Game and Fish Commission or of the Fish and Wildlife Service.

(d) *Routes of travel.* Persons entering the refuge for the purpose of fishing shall follow such routes of travel as may be designated from time to time by suitable posting by the officer in charge of the refuge.

<sup>1</sup> Affects tabulation in § 162.

15 F.R. 5284.

*Footnote 80*

(e) *Use of motorboats.* Persons fishing in the waters of the refuge are prohibited from using on or in any boat a motor of greater than 5 horsepower capacity, except for official purposes.

(f) *Temporary restrictions.* During periods of waterfowl concentrations on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations and are suitably posted by such officer.

(g) *State cooperation.* The provisions of the regulations in this section shall be incorporated in, and deemed to be a part of, any agreement between the Director of the Fish and Wildlife Service and the Director of the State Game and Fish Commission of Mississippi for the regulation and management of fishing on the refuge.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

MARCH 14, 1944.

[F. R. Doc. 44-4666; Filed, April 3, 1944;  
9:52 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter A—General Provisions

##### PART 903—DELEGATIONS OF AUTHORITY

[Directive 24, as Amended Apr. 1, 1944]

#### AUTHORITY OF NATIONAL HOUSING AGENCY FOR HOUSING CONSTRUCTION

**§ 903.36 Directive 24.** The National Housing Agency is hereby authorized for housing projects, except housing projects of the types listed on Schedule A, to take the following types of action, subject to conditions and limits established by the War Production Board through the issuance of program determinations or otherwise:

(a) Approve under Limited Preference Order P-55-c applications on Form WPB-2896 for housing construction, remodeling, repairs and installations of the types described in Schedule B, stating in the approval of any application that the allotment symbol "H" with the appropriate program number may be used for the construction;

(b) Approve construction, remodeling, repairs and installations of the types described in Schedule B, by the Federal Public Housing Authority and Home Owners Loan Corporation without requiring the filing of Form WPB-2896. This approval constitutes War Production Board authorization under Conservation Order L-41 and permits construction, remodeling, repairs and installations under the provisions of Limited Preference Order P-55-c using the allotment symbol "H" with the appropriate program number, subject to such further restrictions as the War Production Board may impose for temporary war housing;

(c) Cancel approvals under paragraphs (a) and (b) above as provided in Limited Preference Order P-55-c;

(d) Permit the use of items in housing projects approved under paragraphs (a) and (b) above where specific permission is required under Schedule I of Limited Preference Order P-55-c. This does not include items which must be specifically approved by the War Production Board and does not include the grant of an appeal for any other item;

(e) Assign upratings for specified projects only in accordance with approved War Production Board program determinations;

(f) Grant requests to amend the provisions of applications approved under paragraph (a) above and requests to amend orders in the P-55 series and the related provisions of applications for war housing covered by them in the following respects in the form and subject to criteria approved by the Facilities Bureau of the War Production Board:

(1) The number of dwelling units covered by the application;

(2) The location of the housing project;

(3) The time for application or extension of the preference rating and allotment symbol, for beginning or completing construction of the project, or for applying for an allotment of controlled materials;

(4) Permission to a successor builder or owner who has applied for permission to complete construction and to avail himself of the preference rating or authorization previously issued to the original builder or owner;

(5) Changes in the promises, certifications, and agreements, except for changes in rentals and sales prices which are covered by Directive 25, made by the builder or owner on Form WPB-2896 (PD-105) or other application forms used instead, in cases where the changes are covered by Preference Rating Order P-55-a.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
By J. A. KRUG,  
Program Vice Chairman.

#### SCHEDULE A

The following types of residential construction are not covered by Directive 24:

a. Farm housing and mobile farm labor camps.

b. Housing being built directly by or under the direct management of the Military Services.

c. Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

d. Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution", as defined in Paragraph (b) (2) of CMP Reg. 5A.

e. Mobile housing units (trailers).

f. Residential construction built by an "operator" as defined in P-98-b, under a Petroleum Administrative Order of the Petroleum Administration for War.

g. Housing built and owned by a Producer, as defined in Utilities Order U-1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

h. The alteration, betterment, repair or replacement (but not the initial construction and equipping, which is provided for

under paragraph a. (3) of Schedule B below) of structure, facilities, equipment or fixtures which is intended primarily for a commercial establishment located in a dwelling structure.

#### SCHEDULE B

The following construction, remodeling, repairs and installations are covered by Directive 24:

a. Dwelling structures (including partially or completely prefabricated structures):

(1) Single family and multi-family residential structures including apartment hotels, except hotels as defined in Schedule A.

(2) Dormitories, rooming houses and similar dwelling accommodations.

(3) Structures which include commercial establishments such as stores, restaurants, offices, where more than 50 per cent of the floor area of each structure provides dwelling accommodations, not including alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

b. Dwelling Facilities: All buildings and structures which are appurtenant and accessory to dwellings such as private garages, sheds, management offices, project maintenance and repair shops, private recreation facilities, garden structures.

c. Dwelling Equipment and Fixtures: All fixtures and equipment built into or firmly attached to a dwelling structure or dwelling facility.

(1) The following equipment is excluded:

(i) Portable electric space heating appliances.

(ii) Movable furniture and movable furnishings.

(2) Except where required for the construction of new houses, or for the rebuilding or remodeling projects where new dwelling units are added, the following equipment is excluded:

(i) Domestic cooking stoves, ranges and hot plates.

(ii) Domestic space eating stoves.

(iii) Mechanical and ice refrigerators.

(iv) Window shades and venetian blinds.

d. Utility Facilities: Sanitation facilities and facilities supplying electric power, gas, water and central steam heating which are an integral part of the housing development in cases where the owner of the facilities does not qualify as an "operator" under paragraph 1 of P-141 or as a "producer" under Paragraph (a) of U-1.

e. Roads and Other Land Improvements: All improvements which are accessory to and an integral part of dwelling sites, such as roads, driveways, walks, parking areas, terraces, retaining walls, fences, and private outdoor recreation facilities. Off-site access roads are not included.

f. Trailer Sites and Facilities, but not the construction of trailers (See Paragraph (e) of Schedule A).

g. Commercial Establishments: Land improvements, structures, facilities or fixed equipment for commercial establishments such as stores, service stations, restaurants, offices, theaters, and for public community buildings, only to the extent that such establishments are:

(1) An integral part of a project which is undertaken primarily for the purpose of construction, alteration or betterment of dwelling accommodations, and

(2) Specified in the application form WPB-2896, and

(3) Necessary for the utilization of the dwelling accommodations upon completion of the construction project.

This paragraph does not include alterations, betterments, repairs or replacements described in paragraph (h) of Schedule A above.

[F. R. Doc. 44-4659; Filed, April 1, 1944;  
4:51 p. m.]

## Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

## PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, as Amended Apr. 1, 1944]

**§ 944.34 Priorities Regulation 13—(a) Purpose of this regulation.** This regulation, in general, describes the rules under which materials may be sold by persons who are not in the regular business of selling such materials. While most sales of this kind will be sales of frozen, idle, or excess materials the regulation also covers any sale from inventory by such persons. For example, a person who has idle materials on hand because his business has been converted to war work, or because the business he used to carry on has been stopped or limited by War Production Board orders, or whose contract has been cancelled or changed, may sell off the idle or excess materials only under the rules in this regulation and, if he follows this regulation, he does not have to look at any other order or regulation except in a few cases which are described in paragraph (f) (2) below. This regulation also controls liquidation sales, bankruptcy sales, general auction sales, and other special sales, as defined in paragraph (b) (1).

(b) *Special definitions used in this regulation.* This regulation deals only with "special sales" of "industrial materials" or "finished products." As used in the regulation, those terms have the following meanings:

(1) "Special sale" means a sale of a material or product by a person who does not, in the regular course of his business, sell it in that form. For example, if a manufacturer sells the raw material he has bought to use in making his regular product, it is a special sale because selling raw material is not his regular business. Or, if a contractor has bought building materials and equipment to build a building and cannot finish it and sells them, that is a special sale because his business is building houses, not selling lumber and nails and lighting fixtures. Liquidation sales by trustees in bankruptcy, receivers and other kinds of liquidators (unless they are continuing to operate a business) and sales by general auctioneers are special sales as that type of person is not considered to be regularly in the business of selling any particular products.

(2) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. It includes both "industrial materials" and "finished products."

(3) "Industrial materials" means the simple kinds of materials that finished products are made out of. It includes simple material forms like pipe, metal sheet and rod, wire, lumber, chemicals, nails, nuts and bolts. These are things that are bought for use in making something else, or are to be put together with other things to make a finished product.

(4) "Finished products" means completed articles which are ready for use just as they are and which do not need to be put together with something else before they can be used. It includes wrenches and hammers, assembled parts, replacement parts and products like tools, machinery, motors, valves, drums and fabricated industrial, agricultural or household equipment. Other examples of what it includes are clothing, furnishings, light bulbs, etc.

(5) "Used materials" means any industrial materials or finished products which have been put into actual use.

(6) Materials not covered by this regulation. There are three types of materials which are not covered by this regulation. They are the following:

(i) Scrap. This includes both scrap normally generated in production and other material which is sold as scrap. There are special orders covering certain types of scrap and except in those cases scrap may be sold to a scrap dealer.

(ii) Rationed products which are controlled by another government agency.

(iii) Foods for humans or animals, medicines, tobacco, oils and fats, petroleum and petroleum products including natural and liquefied petroleum gases.

(c) *Kinds of special sales which may be made.* If a person wants to make a "special sale" (as described above), the rules in this regulation apply and only these rules. There is no need to look at any other order or regulation, and these rules must be followed, no matter how the material was bought, and no matter what any other order or regulation provides. The only exceptions to this rule are stated in paragraphs (f) (2) and (3). The types of special sales which may be made are the following:

(1) *Materials not on Lists A or B.* (i) Industrial materials not on List A may be sold freely to anyone.

(ii) Finished products not on List B may be sold to anyone who makes or produces such a product in the form in which the holder possesses it or to a wholesaler whose regular business is selling such a product in whole or in part from stock or inventory. They also may be sold to anyone on a rating of AA-5 or higher. A holder may also make a special sale of a finished product which is not on List B if he obtains permission from the War Production Board. The way to get this permission is explained in paragraph (c) (2) (iii) below.

(2) *Materials on List A or List B.* If the material that the holder wants to sell is one of the industrial materials listed on List A or is a finished product appearing on List B, the following are the only kinds of sales that can be made.

(i) Sales may be made in accordance with List A or List B. Those lists have four columns showing classes of buyers who might want to buy materials. Opposite each material on the lists in each column is shown whether, and under what conditions, sales can be made to the class of buyer described in the heading of the column.

(ii) A holder may sell freely to one of the following Government corporations, or to anyone buying as agent for one of them: Commodity Credit Corporation, Defense Supplies Corporation, Metals Reserve Company or Rubber Reserve Company.

(iii) A holder may sell if he has been given permission by the War Production Board to make the particular sale. Form WPB-1161 (PD-470) should be used in applying for permission. It shows the information which is needed before permission can be given and it should be sent to the regional office of the War Production Board in the region where the material is located. Copies of this form can be obtained from district or regional offices of the War Production Board. There are two exceptions to this rule in which WPB-1161 is not to be used. These are controlled materials for which special rules have been provided in later paragraphs, and a few finished products where a note in List B states that another form is to be used.

(iv) A holder may sell freely to anyone if he has a total of not more than \$100 worth of the particular material to be sold, unless it is one of the few materials for which special rules and amounts are stated in Column 6 of List A or List B. In deciding whether the holder has \$100 worth he must count all material of the same type and composition. For example, all zinc sheet or cattle hides, or all cotton duck, or all shovels or hammers. This paragraph does not mean that a person may sell freely lots worth less than \$100 if he has more than that amount. It only allows the sales if all he has of that kind of material is worth less than \$100.

(v) If the material is copper, copper base alloy, aluminum or steel in a form described as a "controlled material" in CMP Regulation 1, the holder may sell it to a buyer who gives him an order bearing a CMP allotment symbol or number and this certification:

The undersigned purchaser certifies that he is entitled under CMP regulations to place an authorized controlled material order for the above material.

Or the certification may be in the form set out in CMP Regulation 7 or in any other form which may be used in placing an authorized controlled material order. The buyer must charge material bought under this paragraph, against his CMP allotment account. If the material which the holder wants to sell is steel he may also sell it to steel warehouses, dealers or distributors on orders bearing the endorsements described in M-21-b-1 and M-21-b-2.

(vi) Special permission to sell controlled materials. The War Production Board may give special permission to sell idle or excess controlled materials for any use which is permitted under War Production Board orders or regulations either to a person who has no allotment or to a person who already has an allotment and an authorized production schedule under the Controlled Material Plan. This permission may be given only if the material has been reported to the War Production Board as idle or excess and if the material is iron, steel, aluminum, copper or copper base alloy in controlled material form. If this permission is given, the holder need not get from the buyer the certification provided in paragraph (c) (2) (v) above and if the buyer has an allotment he does not have to charge against his allotment account the amount of controlled materials bought under this special permission. In the case of copper and copper base alloy in controlled material form, the above permission may be given only if the buyer has a production schedule authorized under the Controlled Materials Plan and will use the material for the same purpose for which the production schedule was authorized. Either the buyer or the seller may apply for this permission in person or by writing, wiring or telephoning, giving full details about the size, shape, analysis, specifications and quantity of the material and the purpose for which it will be used. Requests for such permission should be directed to the Regional Office of the War Production Board for the region in which the material is located or to the appropriate materials division. If the material is being secured through the Copper Recovery Inventory Branch, then such request should be addressed to it at 350 Fifth Ave., New York 16, N. Y.

(3) *Special orders.* If the War Production Board, by an order or in any other way, has ruled that all persons engaged in a particular business may sell or exchange materials between themselves, they can do so.

(4) *Used materials.* Used materials may be sold freely to anyone unless there is a notation in List A or List B restricting the sale of the particular used material which the holder wants to sell.

(d) *Transfers within a company.* If a person wants to transfer material from one of his plants or operating units to another one which normally purchases separately, the transfer is considered equivalent to a sale and he may make it only under the same conditions as he could make a special sale under this regulation. In any other case where a person who has obtained material with priorities assistance wants to use it for another purpose, he should refer to § 944.11 of Priorities Regulation 1 or (in the case of controlled materials or Class A products obtained with an allotment) to paragraph (u) of CMP Regulation 1.

(e) *Replacing material sold.* If a person sells material under this regulation to someone who gives him a priority rating or a CMP allotment symbol or number, the seller cannot use this rating or allotment to replace the material he has sold. The effect of this rating or symbol

or number stops when the seller receives it.

(f) *Sales covered by this regulation.* (1) This regulation applies only to "special sales" (as described in paragraph (b) (1)) and if the holder is regularly engaged in selling a material a sale of it by him is not a special sale and he is governed by all orders and regulations of the War Production Board which apply to the material he is selling.

(2) Provisions in any orders or regulations issued before April 1, 1944 which say that this regulation does not apply may be disregarded, except for Order U-1 affecting utilities, WPB Directive 16, which provides special rules for aircraft inventory transfers, and Order P-98-c, which applies to special sales in the petroleum industry. To find the rules for making a special sale there is no need to refer to any order or regulation other than Priorities Regulation 13, outside of the three exceptions stated. However, if another order or regulation issued after April 1, 1944 expressly mentions Priorities Regulation 13 and says that this regulation does not apply to a particular type of sale, then that order or regulation takes the place of this regulation.

(3) If any seller is allowed to make a sale under this regulation, the buyer is permitted to buy and accept delivery, except that:

(i) The buyer may not violate any regulation or order controlling the quantity of material which he may have or buy or receive or the amount of any product he may make or the use that he may make of any particular material. All the prohibitions in orders against the use of materials for particular purposes remain in effect.

(ii) If any order or regulation provides that a buyer of material must make any report or furnish any information either to the War Production Board or to the seller, this regulation does not excuse him from these requirements.

(iii) If any holder of material knows that a person who wants to buy it will use it for a prohibited purpose or would have more of it than he is permitted to have, the sale cannot be made.

(g) *Records.* Any person making a sale under this regulation must keep sufficient records so that he can show that the sale was permitted under this regulation.

(h) *Listing materials with the War Production Board.* If anyone has any excess, idle or frozen material that he wants to sell, he should report it to his nearest War Production Board office giving full details about its size, shape, analysis, specifications and quantity, and they will try to help him.

(i) *Letters and questions.* Any letters or questions about this regulation should be sent either to the Redistribution Division of the War Production Board in Washington, marked "Ref: P.R. 13", or to any of the field offices of the War Production Board.

(j) *Revisions of Lists A and B.* Lists A and B attached to this regulation will be revised on the first of each month, beginning April 1st, 1944. A person

wishing to sell material under this regulation should be sure that he has the list which is in effect at the time of the sale. Copies may be obtained from any field office of the War Production Board.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LISTS A AND B

*Explanation of Lists A and B:* Column (1) of List A lists the industrial materials (as defined in paragraph (b) (3) that are restricted under the regulation. This shows in some instances the class or group of materials and does not always list all the trade names and related materials.

Column (1) of List B lists the finished products to which the general sales rules in paragraph (c) (1) (ii) do not apply because the finished product is either more or less restricted than the general rule.

Columns (2), (3), (4) and (5) each apply to a type of possible buyer. Opposite each material in each column is shown the conditions under which a special sale of the particular material may be made to the person described in the heading of the column.

Column (2) applies to persons who make or produce material in the form in which the holder bought it. This includes non-integrated producers. If the holder bought copper wire, column (2) refers to a wire mill, which makes copper wire. If he bought a machine tool, it refers to a company which makes that kind of a product.

Column (3) refers to persons who are permitted to buy and use the material for production, construction, maintenance, repair or operating supplies or for capital expansion or replacement.

Column (4) refers to persons who buy new, rejected or second grade materials and who rework them. This includes persons who change the form of the material by redrawing, rerolling, etc., except that it does not include controlled material producers.

Column (5) refers to persons who are wholesale dealers in the material the holder has like a wholesaler in chemicals or textiles. A wholesaler means anyone whose regular business consists in whole or in part of the sale from stock or inventory of the particular materials or products to other persons for the purpose of resale, or for fabrication or assembly into other products. It also includes persons who recondition or rebuild equipment and machinery for resale to industrial users. Such a person is not, however, relieved from compliance with any orders or regulations of the War Production Board which control the distribution of the material by him.

Column (6) contains notes which should be read whenever a star (\*) or note shows on the list.

If the list shows "no," it means that the holder cannot sell to the class of person mentioned in the column head without special permission of the War Production Board except when a note in column (6) allows certain kinds of sales. Paragraph (c) (2) (iii) of the regulation tells how to get permission.

If the list shows "PR" followed by a letter and number, like "PR AA-5," it means that the holder can sell to anyone who gives him an AA-5 priority rating for the sale, or a higher rating.

If the list shows "W. O. P." it means the holder can sell to the person at the head of the column without any priority rating or allocation.

If the list shows "X," it means that there are no persons who fall in the description at the top of the column so far as that particular material is concerned.

## FEDERAL REGISTER, Tuesday, April 4, 1944

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
<b>PART I—METALS AND METALLIC ORES</b>					
Alumina.....	W. O. P.....	W. O. P.*.....	X.....	W. O. P.....	*Only for the manufacture of aluminum or abrasives.
Aluminum (new and used):** In controlled material form.....	W. O. P.....	No*.....	W. O. P.**.....	W. O. P.**.....	*Only to fill orders under paragraphs (c) (2) (v) and (vi) of the regulation. **Only to approved reprocessors and wholesale dealers. Lists available at WPB offices. ***A holder may sell freely to anyone if the total amount of aluminum held by him does not exceed \$25.00 in value.
Not in controlled material form.....	W. O. P.....	No.....	W. O. P.**.....	W. O. P.**.....	
Antimony: Antimony*.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	*Includes ores and concentrates, metal, liquated antimony and any alloy containing 60% or more of antimony by weight.
Chemicals (see Chemicals). Antimonial lead (see Lead). Babbitt (see Tin). Bauxite.....	W. O. P.....	W. O. P.*.....	X.....	X.....	*Only for the manufacture of alumina or abrasives.
Beryllium*.....	W. O. P.....	No.....	No.....	W. O. P.....	* Includes ores, concentrates, and metal beryllium.
Bismuth.....	W. O. P.....	No.....	No.....	W. O. P.....	
Brass (see Copper). Brass mill and wire mill products (see Copper). Bronze (see Copper). Cadmium: Cadmium*.....				No.....	*Includes metallic cadmium in all forms, residues, dross, and other cadmium bearing material.
Chemicals (see Chemicals) Chromium: High carbon ferro-chromium over .50 carbon. Low carbon ferro-chromium under .50 carbon.	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Copper: In controlled material form (new and used)*:.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	*A holder may sell freely to anyone, any item of copper or copper base alloy material if the total amount of that item held by him (determined as provided in para. (c) (2) (iv) of this regulation) does not exceed \$25.00 in value. "Item" means any sheet, wire, rod, tube or cable made from copper or copper base alloy which is different from all other items of that form, by reason of one or more differences of its specifications such as size, shape, gauge, thickness, alloy, or insulation. Differences in temper or length do not differentiate items.
Brass mill products.....	W. O. P.....	No**.....	No***.....	No****.....	**Only to fill orders under para. (c) (2) (v) and (vi) of the regulation.
Copper wire mill products (bare and insulated). Foundry copper or copper base alloy products.	W. O. P.....	No**.....	No****.....	No****.....	***Only to persons permitted to accept delivery pursuant to Copper Order N-9.
Not in controlled material form (new and used): Copper raw materials (Ref. shapes & Cu. and Cu. base alloy ingots). Semi-fabricated or fabricated un-assembled parts or products, etc. (including bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle and taper)).	No***.....	No***.....	X.....	No***.....	****Only to persons having specific authorization to buy.
Corundum (see Part III). Cryolite.....	No.....	PR-AA5.....	PR-AA5.....	PR-AA5.....	
Electrical resistance material*.....	W. O. P.....	No.....	PR-AA5.....	No.....	
Ferroalloys* (other than ferrocolumbium). Ferrocolumbium*.....	W. O. P.....	W. O. P.**.....	X.....	X.....	* Material in form of ribbon or wire in which nickel or chromium or both are used to create electrical resistance for development of heat. ** A holder may sell freely to anyone if the total amount of electrical resistance material held by him does not exceed \$25.00 in value. • May be sold as provided for principal non-ferrous element.
Inconel (see Nickel). Iridium.....	W. O. P.....	No.....	No.....	No.....	* Includes any alloy containing 45% or more of columbium. ** 500 lbs. or less may be sold to any one buyer in any month.
Iron: Alloy iron castings*. Cast iron products.....	W. O. P.....	W. O. P.....	W. O. P.....	X.....	* Does not include materials commonly known as "ferro-alloys."
Malleable iron castings.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Pig iron.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Wrought iron (see steel). Lead: Lead.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Antimonial lead.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Lithium: Lithium ore.....	W. O. P.....	No.....	No.....	No.....	
Lithium chemicals (see Chemicals). Magnesium and magnesium products*.....	W. O. P.....	W. O. P.....	W. O. P.**.....	No.....	*Includes castings, extrusions, sheet, strip, plate, forgings and powder. ** Only to approved reprocessors. Lists available at WPB offices. *Includes hydrogen reduced powder.
Molybdenum wire products*.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Monel (see Nickel). .....					

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Nickel (new and used): Nickel pig, ingot, cathode, pellet, shot and anode.	W. O. P.	No.	No.	W. O. P.	
Other nickel* (including monel and inconel).	W. O. P.	PR-AA5.	PR-AA5.	W. O. P.	*Includes any other alloyed or unalloyed metallic nickel, ferro-nickel, matte and materials from which nickel is commercially recoverable.
Chemicals (see Chemicals)					
Osmium.	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Can be used only in implements of war.
Platinum:	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Platinum Chemicals (see Chemicals).					
Rhodium:	W. O. P.	W. O. P.*	W. O. P.	W. O. P.	*Cannot be used for jewelry.
Rhodium Chemicals (see Chemicals).					
Silver:					
Foreign silver.	W. O. P.	No.	W. O. P.	W. O. P.	
Domestic silver.	W. O. P.	No.	W. O. P.	W. O. P.	
Treasury silver.	W. O. P.	No.	W. O. P.	W. O. P.	
Solder	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Steel, alloy and carbon (including wrought iron)*:					*Pursuant to pars. (c) (2) (iv), a holder may sell freely to anyone any item of iron or steel if the total amount of that item held by him does not exceed \$50.00 in value. "Item" means steel or iron which is identical in form, shape, rolling treatment, (hot rolled or cold finished) chemistry, specifications, finish and size.
In controlled material form:					
Alloy steel castings.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Axes (railway).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rails and track accessories (rail joints, tie plates, track spikes, and track bolts).	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Sheet piling.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin plate, terne plate, and tin mill black plate.	W. O. P.	W. O. P.	X	No**.	**Only to fill orders under par. (e) (2) (v) and (vi) of the regulation.
Tires.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wheels.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
All other controlled material forms of steel (including wrought iron).*	W. O. P.***	No**.	No**.	No**.	*See CMP Reg. 1 for list of controlled material forms.
Not in controlled material form:					
Bolts, nuts, screws, rivets, washers, studs, and pins (such as cotter, clevis, brake, knuckle, and taper).	W. O. P.	W. O. P.	X	W. O. P.	***Also includes nonintegrated steel producers who further process steel.
Cotton bale ties.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Forgings.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Track materials:					
Frogs, switches, crossings, switch stands, guard rails, guard rail clamps, rail braces, rail anchors, gauge rods, clip bolts, rail clips and nut locks.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Steel, other.	W. O. P.	PR-AA5.	PR-AA5.	PR-AA5.	
Wrought iron.	W. O. P.	PR-A9.	W. O. P.	W. O. P.	
Tantalum*.	No.	No.	X	No.	*Includes ores, ferro-tantalum, concentrates and materials containing commercially recoverable tantalum.
Tin:					
Tin.	No.	No.	No.	No.	
Babbitt.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tin solder (see Solder).					
Tin bearing alloys.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Foil.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Tungsten wire products*.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes hydrogen reduced powder.
Uranium*.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Includes metal, crude ores, residues, matte and any alloy or mixture containing $\frac{1}{10}$ of 1% or more uranium by weight.
Vanadium*.	W. O. P.	PR AA-5.	X	W. O. P.	*Includes ores, concentrates, metal, ferro-vanadium, and material containing commercially recoverable vanadium.
Welding rods and electrodes.					
Wrought iron (see steel).					
Zinc:					
Zinc.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Chemicals (see Chemicals).					
Dust.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
PART II—CHEMICALS					
Chemicals listed herein when sold under trade names may be sold as provided for the particular chemical.					
Acetaldehyde.	W. O. P.	No*.	W. O. P.	W. O. P.	*54 gals. Mo. <sup>1</sup>
Acetate, vinyl (and polymers of).	W. O. P.	No*.	X	No.	*25 lbs. Mo. <sup>1</sup>
Acetic anhydride**.	W. O. P.	No*.	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Acetone.	W. O. P.	No*.	X	W. O. P.	**Also called ethanoic anhydride, acetyl oxide and acetic oxide.
Acids:					
Acetic.	W. O. P.	No*.	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Adipic**.	W. O. P.	No*.	X	W. O. P.	** Includes all derivatives except "Nylon."
Anhydrous hydrofluoric.	W. O. P.	No*.	X	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Arsenious**.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	** Also called arsenic trioxide and white arsenic.
Citric.	W. O. P.	No*.	X	W. O. P.	*440 lbs. Qr. <sup>1</sup>
Maleic.	W. O. P.	No*.	X	W. O. P.	*200 lbs. Mo. <sup>1</sup>
Naphthalene.	W. O. P.	No*.	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Sulfuric.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Phosphoric.	W. O. P.	No*.	X	W. O. P.	*5 tons Mo. <sup>1</sup>

<sup>1</sup> This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated;

## FEDERAL REGISTER, Tuesday, April 4, 1944

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f)(2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Acrylic Monomers and Acrylic Resins:					
Cast sheet.	W. O. P.	No*	X	W. O. P.	*50 sq. feet Mo. <sup>1</sup>
Molding sheet.	W. O. P.	No*	X	W. O. P.	*50 sq. feet Mo. <sup>1</sup>
Molding powder.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Cast shapes.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Tube.	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Rod.	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Solution.	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo. <sup>1</sup>
Emulsion.	W. O. P.	No*	X	W. O. P.	*400 lbs. Mo. <sup>1</sup>
Monomer.	W. O. P.	No*	X	W. O. P.	*10 gals. Mo. <sup>1</sup>
Granular polymers.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Acrylonitrile**	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup> **Also called vinyl cyanide.
Agar.	W. O. P.	W. O. P.	X	W. O. P.	
Alcohols:					
Butyl**.	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup> **Includes Isobutyl, secondary butyl, and tertiary butyl.
Capryl**.	W. O. P.	No*	X	W. O. P.	*70 lbs. Mo. <sup>1</sup> **Also called methyl hexyl carbinol or 2-Octanol.
Ethyl.	W. O. P.	No	X	W. O. P.	
Hexahydric Alcohols:					
d-Sorbitol.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Technical grade d-Sorbitol.	W. O. P.	No*	X	W. O. P.	*90 lbs. Mo. <sup>1</sup>
Commercial grade.	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo. <sup>1</sup>
Mannitol-crystalline.	W. O. P.	No*	X	W. O. P.	*280 gals. Mo. <sup>1</sup>
Higher Aliphatic Alcohols:					
Normal octanol.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Normal decanol.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Lauryl alcohol.	W. O. P.	No*	X	W. O. P.	*360 lbs. Mo. <sup>1</sup>
Mixed aliphatic alcohols.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
2-ethyl hexanol.	W. O. P.	No*	X	W. O. P.	*370 lbs. Mo. <sup>1</sup>
Isopropyl**.	W. O. P.	No*	X	W. O. P.	*270 gals. Mo. <sup>1</sup> **Also called secondary propanol.
Methyl (methanol).	W. O. P.	No*	X	W. O. P.	*540 gals. Mo. <sup>1</sup>
Alcohols, denaturants:					
Acetalcohol.	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Dehydroal.	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
G. C. 78.	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
St. 115.	W. O. P.	No*	X	W. O. P.	*54 gals. Mo. <sup>1</sup>
Alkanolamines.					
Allyl Alcohol.	W. O. P.	No*	X	W. O. P.	*5 gals. Mo. <sup>1</sup>
Allyl Chloride.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Aluminum hydrate.	W. O. P.	No	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Aluminum chloride, anhydrous.	W. O. P.	No*	X	W. O. P.	*600 lbs. Mo. <sup>1</sup>
Ammonia:					
By-product ammonia**.	W. O. P.	No	X	W. O. P.	**Includes salts and solutions.
Sulphate of ammonia**.	W. O. P.	W. O. P.	X	W. O. P.	**Containing 20.5% nitrogen or less.
Synthetic ammonia**.	W. O. P.	No	X	W. O. P.	**Includes salts and solutions.
Aniline, aniline oil, and aniline salts.	W. O. P.	No*	X	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Antimony sulphide.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony oxide.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Antimony chemicals, other.	W. O. P.	W. O. P.	X	W. O. P.	
Aromatic petroleum solvents** (excluding toluol and benzol).	W. O. P.	No*	X	W. O. P.	*60 gals. Mo. <sup>1</sup> **Includes solvents or naphthas of petroleum origin containing more than 30% of aromatic hydrocarbons and all grades of Xylool.
Barbasco root.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Benzaldehyde.	W. O. P.	No*	X	W. O. P.	*50 gals. Mo. <sup>1</sup>
Benzene.	W. O. P.	No	X	W. O. P.	
Benzene containing oils.	W. O. P.	No	X	W. O. P.	
Beryllium chemicals.	W. O. P.	No	X	W. O. P.	
Butadiene.	W. O. P.	No*	X	W. O. P.	*125 lbs. Mo. <sup>1</sup>
2-butanol.	W. O. P.	No	X	W. O. P.	*55 gals. Mo. <sup>1</sup>
Butyl phthalyl butyl glycolate.	W. O. P.	No*	X	W. O. P.	*25 lbs. Mo. <sup>1</sup>
Cadmium pigment.	W. O. P.	No*	X	W. O. P.	*30 tons Mo. <sup>1</sup>
Calcium carbide.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Calcium carbonate, precipitated.	W. O. P.	No*	X	W. O. P.	**Available chlorine content 65% or more by weight.
Calcium hypochlorite, high test**.	W. O. P.	No	X	W. O. P.	*3 lbs. Mo. <sup>1</sup>
Calcium metal.	W. O. P.	No*	X	W. O. P.	*2 lbs. Mo. <sup>1</sup>
Other forms.	W. O. P.	No*	X	W. O. P.	
Carboxlates, containing 10% or more of phenols (see Phenols).					
Carbon black, furnace type.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Carbon tetrachloride.	W. O. P.	No*	W. O. P.	W. O. P.	*52 gals. Mo. <sup>1</sup>
Casein.	W. O. P.	No*	No	W. O. P.	*125 lbs. Mo. <sup>1</sup>
Castor oil phthalate.	W. O. P.	No	X	W. O. P.	
Castor oil phthalate hydrogenated.	W. O. P.	No	X	W. O. P.	
Cellophane (See list B).					
Celulose acetate**.	W. O. P.	No	X	W. O. P.	**In primary unfabricated forms.
Celulose acetate butyrate**.	W. O. P.	No	X	W. O. P.	**In primary unfabricated forms.
Celulose ester flake**.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup> **Including celulose acetate flake, celulose acetate, butyrate flake, celulose acetate propionate.
Celulose ester sheets, rods, tubes and molding powder:					
Celulose plastic molding powder.	W. O. P.	No*	X	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Celulose plastic sheets.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Celulose plastic rods.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Celulose plastic tubes.	W. O. P.	No*	X	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Celulose nitrate, plasticized**.	W. O. P.	W. O. P.	X	W. O. P.	**In primary unfabricated forms, except that used in explosives and protective coatings.
Charcoal.	W. O. P.	No*	X	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
Chestnut extract.	No	No	No	No	*25 lbs. Mo.
Chlorate and perchlorate chemicals**.	W. O. P.	No*	No	W. O. P.	**Includes potassium, sodium and barium chlorates, potassium and ammonium perchlorates; perchloric acid; and any other chlorate or perchlorate chemical.
Chlorobenzenes:					
Monochlorobenzene.	W. O. P.	W. O. P.	X	W. O. P.	
Orthodichlorobenzene.	W. O. P.	W. O. P.	X	W. O. P.	
Paradichlorobenzene.	W. O. P.	W. O. P.	X	W. O. P.	
Chlorethylene.	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

<sup>1</sup> This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Chloride of lime**	W. O. P.	W. O. P.	X.	W. O. P.	**Calcium hypochlorite with available chlorine content of from 30 to 65% weight.
Chlorine	W. O. P.	No.	X.	W. O. P.	
Chlorinated hydrocarbon solvents	W. O. P.	No.	No.	W. O. P.	
Chlorinated rubber (see Rubber Part III).					
Chrome Pigments:					
Class A	W. O. P.	No*	X.	W. O. P.	*Class A products, subject to quota (See M-370).
Class B	W. O. P.	No*	X.	W. O. P.	*50 lbs. Mo. <sup>1</sup> of zinc chromate and 25 lbs. Mo. <sup>1</sup> of chromium oxide green.
Chromium Chemicals:					
Ammonium bichromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Chromic Acid	W. O. P.	No*	No.	W. O. P.	*800 lbs. Mo. <sup>1</sup>
Chromium tanning compounds	W. O. P.	No*	No.	W. O. P.	*See sodium bichromate.
Sodium bichromate	W. O. P.	No*	No.	W. O. P.	*4,000 lbs. Mo. <sup>1</sup> or its equivalent in chromium tanning compounds.
Sodium chromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Potassium bichromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Potassium chromate	W. O. P.	No*	No.	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Cobalt oxide	W. O. P.	No.	X.	W. O. P.	
Copper carbonate	W. O. P.	No*	X.	W. O. P.	
Copper chloride	W. O. P.	No*	X.	W. O. P.	
Copper cyanide	W. O. P.	No*	X.	W. O. P.	
Copper oxide (except cuprous oxide)	W. O. P.	No*	X.	W. O. P.	
Copper sulphate	W. O. P.	No*	X.	W. O. P.	
Cotton pulp, chemical	W. O. P.	No.	X.	W. O. P.	
Cresols: ortho, meta, and para	W. O. P.	No.	No.	W. O. P.	
Cuprous oxide	W. O. P.	No.	X.	W. O. P.	
Cyanamide	W. O. P.	No*	X.	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Cyanide (sodium)	W. O. P.	No*	X.	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
DDT	W. O. P.	No*	X.	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
Diacetone	W. O. P.	No*	X.	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
Diamyl phthalate	W. O. P.	No.	X.	W. O. P.	*4,000 lbs. Mo. <sup>1</sup>
Di-butoxy ethyl phthalate	W. O. P.	No.	X.	W. O. P.	
Diethyl phthalate	W. O. P.	No.	X.	W. O. P.	
Dicapryl phthalate	W. O. P.	No.	X.	W. O. P.	
Dichlorethyl ether	W. O. P.	No*	No.	W. O. P.	
Dichlorodifluoromethane	W. O. P.	No.	X.	W. O. P.	
Dicyandiamide	W. O. P.	No.	X.	W. O. P.	
Di-cyclohexyl phthalate	W. O. P.	W. O. P.	X.	W. O. P.	
Diethanolamine	W. O. P.	No*	X.	W. O. P.	
Diethyl ethanolamine	W. O. P.	No*	X.	W. O. P.	
Diethyl phthalate	W. O. P.	No.	X.	W. O. P.	
Di 2-ethyl hexyl phthalate	W. O. P.	No.	X.	W. O. P.	
Di-ethoxy ethyl phthalate	W. O. P.	No.	X.	W. O. P.	
Di-methylcyclohexyl phthalate	W. O. P.	No.	X.	W. O. P.	
Dimethyl phthalate	W. O. P.	No.	X.	W. O. P.	
Diphenylamine**	W. O. P.	No.	X.	W. O. P.	
Dyestuffs and organic pigments	W. O. P.	No.	X.	W. O. P.	
E. W. naphtha	W. O. P.	No*	X.	W. O. P.	
Ethyl acetate	W. O. P.	No*	X.	W. O. P.	*54 gals. Mo. <sup>1</sup>
Ethyl cellulose	W. O. P.	No.	X.	W. O. P.	*270 gals. Mo. of ethyl acetate and isopropyl acetate. <sup>1</sup>
Ethyl chloride	W. O. P.	W. O. P.	X.	W. O. P.	*10 lbs. Mo. <sup>1</sup>
Ethylene dichloride	W. O. P.	W. O. P.	X.	W. O. P.	
Ethyl phthalyl ethyl glycolate	W. O. P.	No.	X.	W. O. P.	*10,000 lbs. Mo. <sup>1</sup>
Formaldehyde	W. O. P.	No*	X.	W. O. P.	*110 gals. Mo. <sup>1</sup>
Furfural	W. O. P.	No*	X.	W. O. P.	*10 lbs. Mo. <sup>1</sup>
Gasoline Gum inhibitors	W. O. P.	No*	X.	W. O. P.	
Glycols:					
Ethylene	W. O. P.	No*	X.	W. O. P.	*5,000 lbs. Mo. <sup>1</sup>
Propylene	W. O. P.	No*	X.	W. O. P.	*950 lbs. Mo. <sup>1</sup>
Diethylene	W. O. P.	No*	X.	W. O. P.	*1,000 lbs. Mo. <sup>1</sup>
Triethylene	W. O. P.	No*	X.	W. O. P.	*250 lbs. Mo. <sup>1</sup>
Mixed glycols	W. O. P.	No*	X.	W. O. P.	*250 lbs. Mo. <sup>1</sup>
Glycol ethers:					
Monobutyl ether of ethylene glycol	W. O. P.	No*	X.	W. O. P.	*400 lbs. Mo. <sup>1</sup>
Monomethyl ether of ethylene glycol	W. O. P.	No*	X.	W. O. P.	*430 lbs. Mo. <sup>1</sup>
Monoethyl ether of ethylene glycol	W. O. P.	No*	X.	W. O. P.	*410 lbs. Mo. <sup>1</sup>
Monoethyl ether of diethylene glycol	W. O. P.	No*	X.	W. O. P.	*460 lbs. Mo. <sup>1</sup>
Guanidine					
Hexamethylenetetramine	W. O. P.	No*	X.	W. O. P.	*10,000 lbs. Mo. <sup>1</sup>
Hydrogen peroxide	W. O. P.	No*	X.	W. O. P.	*600 lbs. Mo. <sup>1</sup>
Isobutyl castor oil phthalate	W. O. P.	No.	X.	W. O. P.	
Isopropyl acetate	W. O. P.	No*	X.	W. O. P.	*270 gals. Mo. <sup>1</sup> of isopropyl acetate and ethyl acetate.
Lacquer, lacquer thinners (see Paints).					
Lithopone	W. O. P.	W. O. P.	X.	W. O. P.	
Lithium chemicals **	W. O. P.	No.	No.	W. O. P.	**Excluding crude lithium sodium phosphate.
Magnesium oxide, light	W. O. P.	No*	X.	W. O. P.	*200 lbs. Mo. <sup>1</sup>
Maleic Anhydride	W. O. P.	No*	X.	W. O. P.	*500 lbs. Mo. <sup>1</sup>
Melamine Aldehyde molding compound and resins	W. O. P.	No*	X.	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Methacrylic acid (see acrylic monomer and acrylic resins).					
Methanol	W. O. P.	No.	X.	W. O. P.	
Methyl bromide	W. O. P.	No*	X.	W. O. P.	*10 lbs. Mo. <sup>1</sup>
Methyl ethyl ketone	W. O. P.	No*	X.	W. O. P.	*34 gals. Mo. <sup>1</sup>
Methyl Isobutyl ketone	W. O. P.	No*	X.	W. O. P.	*34 gals. Mo. <sup>1</sup>
Methyl phthalyl ethyl glycolate	W. O. P.	No*	X.	W. O. P.	*55 gals. Mo. <sup>1</sup>
Mineral oil polymers	W. O. P.	No*	X.	W. O. P.	*50 gals. Mo. <sup>1</sup>
Molding compounds:					
Melamine aldehyde	W. O. P.	No*	X.	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Phenolic	W. O. P.	No*	X.	W. O. P.	*50 lbs. Mo. <sup>1</sup>
Urea aldehyde	W. O. P.	No*	X.	W. O. P.	*100 lbs. Mo. <sup>1</sup>
Monooethanolamine	W. O. P.	No*	X.	W. O. P.	*5 gals. Mo. <sup>1</sup>
Naphthalene	W. O. P.	No.	W. O. P.	W. O. P.	
Naphthitanes**	W. O. P.	No*	X.	W. O. P.	
Naptha, high flash	W. O. P.	No*	X.	W. O. P.	*50 gals. Mo. <sup>1</sup>
Nickel chemicals**	W. O. P.	No.	No.	W. O. P.	**Excluding crude or refined sodium naphthalanate intended for manufacture of other naphthalanates.
Oleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*60 gals. Mo. <sup>1</sup>
Oxidized petrolatum	W. O. P.	No*	X.	W. O. P.	**Salts, oxides, and carbonates.
					*25 lbs. Mo. <sup>1</sup>

<sup>1</sup> This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

## FEDERAL REGISTER, Tuesday, April 4, 1944

LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Paints, varnishes, lacquers and lacquer thinners: Aluminum paint.....	W. O. P.....	No.....	X.....	W. O. P.....	*55 gals. Mo. <sup>1</sup>
Paints, varnishes, lacquer and lacquer thinners containing any of the ingredients listed in Column 6**.....	W. O. P.....	No*.....	X.....	W. O. P.....	*Paraphenyl phenol resins, Phenolic resins, Phthalic alkyd resins, Urea melamine formaldehyde resins, Aromatic petroleum solvents, Butyl alcohols and butyl acetates, Ethyl acetate and isopropyl acetate, Toluene, Phthalate plasticizers, Methyl ethyl ketone, Methyl isobutyl ketone, Acetone and Diacetone.
Paints, other.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	*3,000 lbs. Mo. <sup>1</sup>
Paraformaldehyde.....	W. O. P.....	No*.....	X.....	W. O. P.....	*100 lbs. Mo. <sup>1</sup>
Pentaerythritol.....	W. O. P.....	No*.....	X.....	W. O. P.....	*25 lbs. Mo. <sup>1</sup>
Perchlorate chemicals.....	W. O. P.....	No*.....	No.....	W. O. P.....	1 drum Mo. <sup>1</sup>
Perchloroethylene.....	W. O. P.....	No*.....	X.....	W. O. P.....	*25 lbs. Mo. <sup>1</sup>
Perchloric acid.....	W. O. P.....	No*.....	No*.....	W. O. P.....	*55 gals. Mo. <sup>1</sup>
Phenols (tar acids)**.....	W. O. P.....	No*.....	No.....	W. O. P.....	**Includes: phenol, cresols, and Xylenols and mixtures thereof.
Phosphorus (yellow and white).....	W. O. P.....	No*.....	W. O. P.....	W. O. P.....	*10,000 lbs. Mo. <sup>1</sup>
Phthalic anhydride.....	W. O. P.....	No*.....	X.....	W. O. P.....	*700 lbs. Mo. <sup>1</sup>
Pine oil.....	W. O. P.....	No*.....	X.....	W. O. P.....	*54 gals. Mo. <sup>1</sup>
Plasticisers: Phosphate**.....	No.....	No*.....	X.....	No.....	*1,000 lbs. Mo. <sup>1</sup> **Tricresyl and triphenyl.
Phthalate.....	W. O. P.....	No.....	X.....	W. O. P.....	
Plastics, cellulose (see cellulose ester flake).....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Platinum chemicals.....	W. O. P.....	No.....	X.....	W. O. P.....	*50 lbs. Mo. <sup>1</sup>
Polyethylene.....	W. O. P.....	No*.....	X.....	W. O. P.....	**In primary unfabricated forms;
Polystyrene**.....	W. O. P.....	No*.....	X.....	W. O. P.....	*50 lbs. Mo. <sup>1</sup> *50 lbs. Mo. <sup>1</sup> *50 lbs. Mo. <sup>1</sup> *8 tons Mo. <sup>1</sup>
Polyvinyl acetal.....	W. O. P.....	No*.....	X.....	W. O. P.....	**Includes muriate of potash, sulphate of potash, sulphate of potash-magnesia, and run-of-the-mine potash.
Polyvinyl butyral resin.....	W. O. P.....	No*.....	X.....	W. O. P.....	
Polyvinyl formal.....	W. O. P.....	No*.....	X.....	W. O. P.....	
Potash**.....	W. O. P.....	No*.....	X.....	W. O. P.....	
Potassium tantalum fluoride.....	No.....	No.....	X.....	No.....	
Pyrethrum.....	W. O. P.....	No.....	W. O. P.....	W. O. P.....	*80 lbs. Mo. <sup>1</sup>
Pyridine.....	W. O. P.....	No*.....	No.....	W. O. P.....	
Resin: Melamine aldehyde.....	W. O. P.....	No*.....	X.....	W. O. P.....	*1,000 lbs. Mo. <sup>1</sup>
Para-phenyl-phenol.....	W. O. P.....	No*.....	X.....	W. O. P.....	*5 lbs. Mo. <sup>1</sup>
Phenolic.....	W. O. P.....	No*.....	X.....	W. O. P.....	*50 lbs. Mo. <sup>1</sup>
Phthalic alkyd.....	W. O. P.....	No*.....	X.....	W. O. P.....	*750 lbs. Mo. <sup>1</sup>
Urea aldehyde.....	W. O. P.....	No*.....	X.....	W. O. P.....	*1,000 lbs. Mo. <sup>1</sup>
Vinsol.....	W. O. P.....	No*.....	X.....	W. O. P.....	*500 lbs. Mo. <sup>1</sup>
Rhodium chemicals.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Rotenone.....	W. O. P.....	No*.....	W. O. P.....	W. O. P.....	*5 lbs. or 1 gal. Mo. <sup>1</sup>
Rubber, synthetic (see Rubber, Part III). Shellac.....	W. O. P.....	No.....	X.....	W. O. P.....	*100 lbs. Mo. <sup>1</sup>
Sodium metallic.....	W. O. P.....	No*.....	X.....	W. O. P.....	*300 lbs. Mo. <sup>1</sup>
Sodium metasilicate.....	W. O. P.....	No*.....	X.....	W. O. P.....	
Sodium nitrate.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Sodium perborate.....	W. O. P.....	No*.....	X.....	W. O. P.....	*25 lbs. Mo. <sup>1</sup>
Sodium peroxide.....	W. O. P.....	No*.....	X.....	W. O. P.....	*75 lbs. Mo. <sup>1</sup>
Sodium phosphates.....	W. O. P.....	No*.....	X.....	W. O. P.....	2000 lbs. bi-monthly.
Stabilized resin.....	W. O. P.....	No*.....	X.....	W. O. P.....	*100 lbs. Mo. <sup>1</sup>
Styrene.....	W. O. P.....	No*.....	X.....	W. O. P.....	*50 lbs. Mo. <sup>1</sup>
Synthetic resins (see Resins). Synthetic rubber (see Rubber, Part III). Tanning Materials, Vegetable (see Part III). Tantalum chemicals**.....	No.....	No.....	X.....	No.....	**Potassium tantalum fluoride tantalum oxide, tantalum carbide.
Tapioca flour.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Tin chemicals.....	No.....	No.....	No.....	W. O. P.....	
Titanium dioxide.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Titanium pigments.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
Toluene (toloul).....	W. O. P.....	No*.....	No.....	W. O. P.....	*5 gals. Mo. <sup>1</sup>
Tributyl glycerol triphthalate.....	W. O. P.....	No*.....	X.....	W. O. P.....	1 drum Mo. <sup>1</sup>
Trichlorethylene.....	W. O. P.....	No*.....	X.....	W. O. P.....	
Tungsten chemicals.....	W. O. P.....	No.....	W. O. P.....	W. O. P.....	
Uranium chemicals.....	W. O. P.....	No.....	W. O. P.....	W. O. P.....	
Vanadium chemicals.....	W. O. P.....	No.....	W. O. P.....	W. O. P.....	
Varnishes (see Paints). Vat dyes (see Dyestuffs). Vinyl Polymers**.....	W. O. P.....	No*.....	X.....	W. O. P.....	*50 lbs. Mo. <sup>1</sup> **Plasticized or unplasticized polymers and copolymers of vinyl acetate, vinyl chloride and polyvinyl alcohol and includes their condensation products.
Xylenols.....	W. O. P.....	No.....	No.....	W. O. P.....	
Xylol.....	W. O. P.....	No*.....	X.....	W. O. P.....	*60 gals. Mo. <sup>1</sup>
Zinc oxide.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Zinc sulphide-pigments.....	W. O. P.....	W. O. P.....	X.....	W. O. P.....	
<b>PART III—MISCELLANEOUS</b>					
Abrasive, manufactured,* crude and grain.....	W. O. P.....	No.....	W. O. P.....	W. O. P.....	*Includes silicon carbide and used aluminum oxide only.
Agave Cordage.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Agave fibre: Suitable for cordage.....	No.....	No.....	No.....	No.....	
Not suitable for cordage.....	No.....	W. O. P.....	No.....	No.....	
Balsa.....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Bristles, pigs' and hogs' (two inches and over).....	W. O. P.....	W. O. P.....	W. O. P.....	W. O. P.....	
Burlap.....	W. O. P.....	W. O. P.....	No.....	W. O. P.....	
Cantala (see Agave fibre).....					

<sup>1</sup> This quantity may be sold freely, but the buyer's aggregate purchases may not exceed the amount shown during the period stated.

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LIST A—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF INDUSTRIAL MATERIALS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) AND (3) OF THIS REGULATION—Continued

This list refers only to new industrial material unless used industrial material is specifically mentioned. Industrial material not on this list may be sold freely to anyone.

Industrial material (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Cattlehides, calf and kip skins (raw)	W. O. P.	W. O. P.	X	W. O. P.	
Cattle tail hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Coir fibre	W. O. P.	W. O. P.	No	W. O. P.	
Coir products	W. O. P.	W. O. P.	No	W. O. P.	
Coke, petroleum	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Cordage (see Rope)					
Corundum*	W. O. P.	No	No	W. O. P.	*Emery, ruby, sapphire and Boulder Corundum BC Fines are not included.
Cotton duck (see Duck)					
Cotton, American extra staple, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton, Egyptian, reserved	W. O. P.	W. O. P.	X	W. O. P.	
Cotton linters*	W. O. P.	No	X	W. O. P.	
Deerskins*	W. O. P.	W. O. P.	X	W. O. P.	
Diamonds, industrial	W. O. P.	PR-AA-5	PR-AA-5	PR-AA-5	*Produced after July 31, 1943.
Duck, Cotton*	W. O. P.	PR AA-5	X	W. O. P.	*Suitable for military use.
Flax fibre products	W. O. P.	W. O. P.	No	W. O. P.	*Report sales as required by M-109.
Flax fibre	W. O. P.	W. O. P.	No	W. O. P.	*Width 15" to 87".
Graphite, strategic grades	No	No	No	No	
Hemp seeds	W. O. P.	W. O. P.	X	W. O. P.	
Hemp Sunn	W. O. P.	W. O. P.	No	W. O. P.	
Hennequen (see Agave fibre)					
Horsehide	W. O. P.	W. O. P.	X	W. O. P.	*Suitable for military use.
Horse Mane Hair	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Hull fibre*	W. O. P.	No	X	W. O. P.	*Produced after July 31, 1943.
Istle, raw*	W. O. P.	W. O. P.	No	W. O. P.	* Unprocessed istle.
Jewel bearings	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Jewel bearing material*	W. O. P.	No	X	W. O. P.	*Natural sapphire and spinel not included.
Jute:					
Raw jute	W. O. P.	W. O. P.	No	W. O. P.	
Jute products	W. O. P.	W. O. P.	No	W. O. P.	
Kapok	W. O. P.	W. O. P.	X	W. O. P.	
Lacquer, lacquer thinners (see Paints, Part II)					
Leather, sole*	W. O. P.	W. O. P.	W. O. P.	W. O. P.	*Suitable for military use.
Logs (see Woods)					
Loofa sponges*	W. O. P.	PR A-1-a	X	W. O. P.	*Suitable for military use.
Maguey (see Agave fibre)					
Mahogany (see Woods)					
Manila fibre and cordage:					
Cordage	W. O. P.	W. O. P.	No	W. O. P.	
Fibre	No	No*	No	No	*May be sold W. O. P. to the U. S. Navy.
Mica:					
Strategic	W. O. P.	W. O. P.	X	W. O. P.	
Splittings	W. O. P.	W. O. P.	X	W. O. P.	
Nylon	W. O. P.	No	No	No	
Nylon waste	W. O. P.	No	W. O. P.	No	
OD wool clips (see Wool)					
Paints (see Part II)					
Plywood (see Woods)					
Quartz crystals	X	No	No	No	
Rattan (see Woods)					
Rayon yarn, high tenacity	W. O. P.	No	No	No	
Rayon yarn reserved	W. O. P.	W. O. P.	No	W. O. P.	"Rope" means any rope or cable, treated or untreated, composed of three or more strands, manufactured from cotton or any cordage fiber each strand composed of two or more yarns.
Rope*					
Rubber:					
Latex and crude	No	No	No	No	
Balata	No	No	No	No	
Compounded latex	No	No	No	No	
Chlorinated	W. O. P.	No	No	X	
Synthetic	W. O. P.	No	No	X	
Reclaimed	W. O. P.*	W. O. P.*	W. O. P.*	No	*With approval of Rubber Reserve Co.
Rubber products:					
Cement	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Elastic thread	No	No	No	No	
Elastic fabrics	No	No	X	No	
Yarn	No	No	X	No	
Other products	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Silk:					
Raw	No	No	X	No	
Waste, noils, etc.	No	W. O. P.**	W. O. P.**	W. O. P.	**Use certificate required.
Sisal (see Agave fibre)					
Sole leather (see Leather)					
Tanning material, vegetable*	No	No	No	No	*Only to Defense Supplies Corp. or any other agency designated by W. P. B.
Varnishes (see Paints, Part II)					
Wood pulp	No	No	X	No	
Woods:					
Balsa	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Logs:					
Black Walnut	W. O. P.	W. O. P.	X	W. O. P.	
Douglas Fir	W. O. P.	W. O. P.	X	W. O. P.	
Noble Fir	No	No	No	No	
Port Orford Cedar and derivatives	W. O. P.	W. O. P.	X	W. O. P.	
Sitka Spruce	No	No	No	No	
White Oak	W. O. P.	W. O. P.	X	W. O. P.	
Mahogany:					
Firsts, Seconds, Selects	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wormy grades (pattern stock)	W. O. P.	PR AA-1	PR AA-1	W. O. P.	
No. 1, common and poorer	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Plywood:					
Softwood	W. O. P.	PR-AA-2X	X	W. O. P.	
Hardwood	W. O. P.	W. O. P.	X	W. O. P.	
Rattan, round	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Rattan slab	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
Wool:					
Wool	W. O. P.	W. O. P.	W. O. P.	W. O. P.	
OD Clips	W. O. P.	W. O. P.	W. O. P.	W. O. P.	

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## LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Abrasive products, bonded and coated.	WOP...	WOP.....	WOP...	WOP...	
Automotive equipment:					
Axles.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	1 This applies only to a holder who has \$500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than \$500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Brakes.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Clutches.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Off-the-highway vehicles.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Propeller shafts.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Rims.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Transfer cases.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Transmissions.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Truck-trailers.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Trucks.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Wheels.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Engines:					
Air-cooled gasoline engines (except aircraft propulsion).	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Diesel and gas (not gasoline) (non-marine only).	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Liquid-cooled gasoline engines (except aircraft propulsion).	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Internal combustion engines components, except those used on aircraft propulsion engines:					
Bearings, friction (flanged and sleeve type only).	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	2 This applies only to a holder who has \$500 or less cost value of the material. Such a person may sell freely to a wholesaler. If a holder has more than \$500 worth (cost value) of the material he may sell to a wholesaler only with special permission of the War Production Board.
Camshafts (finished only).	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Carburetors, gasoline.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Crankshafts (finished drop forged).	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Electric starting motors, engine mounted only.	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Exhaust and intake valves and seats—internal combustion engines.	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Fuel injection equipment.	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Generators, internal combustion engine mounted.	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Magnetic starting switches—internal combustion engines.	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Magnets.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Mechanical governors.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Piston rings.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Voltage regulators.....	WOP...	PR-AA-2X. X.....	WOP...	WOP <sup>1</sup> ..	
Bearings—anti-friction.....	No. <sup>4</sup> ..	No. <sup>4</sup> .....	No. <sup>4</sup> ...	No. <sup>4</sup> ...	3 Sales of excess bearings are limited to the following: 1. To the original supplier, or 2. On any AAA order; or 3. On any AA-5 or higher rated order from Army, Navy, Maritime Commission, or War Shipping Administration or from any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with a product being manufactured by him; or 4. If the quantity to be sold in any month costs less than \$250, they may be sold on any order rated AA-5 or higher regardless of order's source; or 5. Specific sales authorized by the War Production Board.
Cellophane.....	WOP...	No.....	No.....	No.....	
Chain saws.....	WOP...	No. <sup>4</sup> ...	No. <sup>4</sup> ...	No. <sup>4</sup> ...	

\* May be sold only on WPB authorization (Form WPB-3131).

## LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reproducers who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Construction machinery: Backhoes (new and used), power crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No <sup>4</sup> .....	No <sup>4</sup> .....	No <sup>4</sup> .....	WOP.....	<sup>1</sup> May be sold only on WPB authorization (Form WPB-1319). Application should be made by filing four copies of Form WPB-1319 with the Construction Machinery Specialist for the WPB region in which the applicant's home office is located.
Cranes (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No <sup>4</sup> .....	No <sup>4</sup> .....	No <sup>4</sup> .....	WOP.....	This restriction does not apply to sales outside the 48 states of the United States and the District of Columbia and does not apply to the following special sales:
Draglines (new and used), power, crawler mounted, rubber tired mounted, or walking. (Manufactured after January 1, 1930.)	No <sup>4</sup> .....	No <sup>4</sup> .....	No <sup>4</sup> .....	WOP.....	1. Sales to distributors. The term "distributor" means any person who is engaged in the business of purchasing new, used or reconditioned construction machinery for the purpose of resale.
Motorgraders (new and used), self propelled, earth moving, rubber tired mounted, 16,000 lbs. and heavier, tandem and four wheel drive types.	No <sup>4</sup> .....	No <sup>4</sup> .....	No <sup>4</sup> .....	WOP.....	2. Transfers at a judicial or sheriff's auction or sale, tax sale, or other similar transaction conducted by a judicial or other legal officer.
Shovels (new and used), power crawler mounted, rubber tired mounted or walking. (Manufactured after January 1, 1930.)	No <sup>4</sup> .....	No <sup>4</sup> .....	No <sup>4</sup> .....	WOP.....	3. Sales by any Governmental agency to any other Governmental agency.
Tractors (new and used), crawler or track-laying type, all gauges, bare and including tractor mounted equipment such as bulldozers, angledozers, cranes, loaders, power control units, etc. (all diesel and semi-diesel powered models and the following gasoline powered models: M, WM, AG, H, T6 and R2.	No <sup>4</sup> .....	No <sup>4</sup> .....	No <sup>4</sup> .....	WOP.....	4. Sales by farmers. The term "farmer" means a person who engages in farming as a business, by raising crops, livestock, bees or poultry. It also includes a custom operator who uses farm supplies in performing services for farmers. It does not include a person who merely has a "victory garden" or raises food or other agricultural products entirely for his own use.
Cork products.....	WOP.....	WOP.....	WOP.....	WOP.....	
Dental burs.....	WOP.....	WOP.....	WOP.....	WOP.....	
Diamond dies (large) <sup>6</sup> .....	WOP.....	WOP.....	WOP.....	WOP.....	<sup>6</sup> With hole diameter larger than .0015.
Diamond dies (small) <sup>7</sup> .....	No.....	No.....	No.....	No.....	<sup>7</sup> With hole diameter of .0015 and smaller.
Electronic parts and equipment: Electronic equipments.....	WOP.....	AA-5.....	X.....	No.....	
Capacitors (variable).....	WOP.....	AA-5.....	X.....	No.....	
Capacitors (fixed).....	WOP.....	AA-5.....	X.....	No.....	
Coaxial cable.....	WOP.....	AA-5.....	X.....	No.....	
Crystal assemblies.....	WOP.....	AA-5.....	X.....	No.....	
Instruments, electrical indicating, combat type <sup>8</sup> .....	WOP.....	AA-5.....	X.....	No.....	<sup>8</sup> Except fire control equipment, and navigation instruments.
Insulators <sup>9</sup> .....	WOP.....	AA-5.....	X.....	No.....	<sup>9</sup> Ceramic, micalex, plastic.
Loudspeakers.....	WOP.....	AA-5.....	X.....	No.....	
Microphones.....	WOP.....	AA-5.....	X.....	No.....	
Relays, other than motor control as used in radio communication equipment.	WOP.....	AA-5.....	X.....	No.....	
Resistors (radio and radar).....	WOP.....	AA-5.....	X.....	No.....	
Sockets, tube (radio and radar).....	WOP.....	AA-5.....	X.....	No.....	
Test equipment <sup>10</sup> .....	WOP.....	AA-5.....	X.....	No.....	<sup>10</sup> All items cleared as recognized B-1 items, (standard) electronic.
Transformers and reactors <sup>11</sup> .....	WOP.....	AA-5.....	X.....	No.....	<sup>11</sup> Radio and radar including coils and chokes other than R. F. and I. F.
Tubes (radio and radar).....	WOP.....	AA-5.....	X.....	No.....	
Vibrator <sup>12</sup> .....	WOP.....	AA-5.....	X.....	No.....	<sup>12</sup> A device containing a mechanically oscillating element which interrupts direct electrical current in Electronic Equipment.

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LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (1) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reproducers who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Engines, marine Diesel.....	WOP.....	No 12.....	X.....	No.....	<sup>12</sup> Does not apply to the sale, exchange or other transfer of Marine Diesel Engines between the Army, Navy, Maritime Commission, War Shipping Administration, their contractors or subcontractors provided the marine Diesel engines will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
Graphite crucibles.....	WOP.....	WOP.....	WOP.....	WOP.....	
Industrial power trucks (new and used). . . . .	WOP.....	No 11.....	X.....	WOP.....	<sup>14</sup> Sales of industrial power trucks may be made pursuant to any AA-2X or higher rated order from the Army, Navy, Maritime Commission or War Shipping Administration or from any prime or subcontractor of any of them who will incorporate the industrial power trucks into or will deliver them as equipment with a product being manufactured by him. Otherwise may be sold only on WPB authorization (Form WPB-1319)
Laundry equipment, commercial, dry cleaning equipment, commercial, and tailors pressing equipment:					
Group 1					
Bands, steam spotting.....	WOP.....	No 13.....	X.....	WOP.....	
Conveyors, monorail.....	WOP.....	No 15.....	X.....	WOP.....	
Dry cleaning units, naphtha.....	WOP.....	No 15.....	X.....	WOP.....	
Dry cleaning units, synthetic.....	WOP.....	No 14.....	X.....	WOP.....	
Dryers, garment, hot air.....	WOP.....	No 15.....	X.....	WOP.....	
Dryers, hosiery and sock.....	WOP.....	No 15.....	X.....	WOP.....	
Dye machines.....	WOP.....	No 15.....	X.....	WOP.....	
Extractors (including mechanical unloading). . . . .	WOP.....	No 12.....	X.....	WOP.....	
Forms, collar.....	WOP.....	No 13.....	X.....	WOP.....	
Forms, hosiery and sock.....	WOP.....	No 12.....	X.....	WOP.....	
Forms, overall.....	WOP.....	No 12.....	X.....	WOP.....	
Forms, sleeve.....	WOP.....	No 12.....	X.....	WOP.....	
Forms, trouser.....	WOP.....	No 13.....	X.....	WOP.....	
Filters, solvent, for drycleaning.....	WOP.....	No 15.....	X.....	WOP.....	
Fluffers, handkerchief.....	WOP.....	No 15.....	X.....	WOP.....	
Folding machines, automatic.....	WOP.....	No 15.....	X.....	WOP.....	
Ironers, collar.....	WOP.....	No 15.....	X.....	WOP.....	
Ironers, flatwork.....	WOP.....	No 15.....	X.....	WOP.....	
Ironers, handkerchief.....	WOP.....	No 15.....	X.....	WOP.....	
Ironer attachments:					
Canopies.....	WOP.....	No 15.....	X.....	WOP.....	
Feeding devices.....	WOP.....	No 15.....	X.....	WOP.....	
Listing machines.....	WOP.....	No 15.....	X.....	WOP.....	
Marking machines.....	WOP.....	No 15.....	X.....	WOP.....	
Presses.....	WOP.....	No 15.....	X.....	WOP.....	
Shakers, flatwork.....	WOP.....	No 15.....	X.....	WOP.....	
Shapers, sleeve.....	WOP.....	No 15.....	X.....	WOP.....	
Shapers, trouser.....	WOP.....	No 16.....	X.....	WOP.....	
Spreaders, flatwork.....	WOP.....	No 15.....	X.....	WOP.....	
Stackers, flatwork automatic.....	WOP.....	No 15.....	X.....	WOP.....	
Stackers, handkerchief automatic.....	WOP.....	No 15.....	X.....	WOP.....	
Starch cookers.....	WOP.....	No 15.....	X.....	WOP.....	
Starching and extracting machines.....	WOP.....	No 16.....	X.....	WOP.....	
Starching machines.....	WOP.....	No 16.....	X.....	WOP.....	
Stills, vacuum, for drycleaning.....	WOP.....	No 16.....	X.....	WOP.....	
Stretchers, trouser.....	WOP.....	No 15.....	X.....	WOP.....	
Tables, marking.....	WOP.....	No 15.....	X.....	WOP.....	
Tumblers.....	WOP.....	No 15.....	X.....	WOP.....	
Washers (except glove).....	WOP.....	No 16.....	X.....	WOP.....	
Group 2					
Blocking machines, garment.....	WOP.....	WOP.....	WOP.....	WOP.....	
Boards, pressing.....	WOP.....	WOP.....	WOP.....	WOP.....	
Boards, pressing, velvet and nap.....	WOP.....	WOP.....	WOP.....	WOP.....	
Boards, shirt folding.....	WOP.....	WOP.....	WOP.....	WOP.....	
Boards, ironing.....	WOP.....	WOP.....	WOP.....	WOP.....	

## LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reprocessors who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
Laundry equipment, etc.—Con. Boards, spotting, except steam.	WOP	WOP	WOP	WOP	
Boards, steam	WOP	WOP	WOP	WOP	
Cabinets, deodorizing, drying or sterilizing.	WOP	WOP	WOP	WOP	
Collar shapers	WOP	WOP	WOP	WOP	
Collar tippers	WOP	WOP	WOP	WOP	
Conveyors, bag (wet wash)	WOP	WOP	WOP	WOP	
Conveyors, "go back"	WOP	WOP	WOP	WOP	
Conveyors, shirt	WOP	WOP	WOP	WOP	
Cuff cleaners	WOP	WOP	WOP	WOP	
Dampeners, cloth	WOP	WOP	WOP	WOP	
Dampeners, collar and seam	WOP	WOP	WOP	WOP	
Dryers, blanket and curtain	WOP	WOP	WOP	WOP	
Dryers, rug	WOP	WOP	WOP	WOP	
Dryers, windwhip	WOP	WOP	WOP	WOP	
Dry rooms, conveyor	WOP	WOP	WOP	WOP	
Dry rooms, sectional	WOP	WOP	WOP	WOP	
Dye kettles	WOP	WOP	WOP	WOP	
Feather sanitizing machines	WOP	WOP	WOP	WOP	
Finishers, garment	WOP	WOP	WOP	WOP	
Finishers, sleeve	WOP	WOP	WOP	WOP	
Fluting machines	WOP	WOP	WOP	WOP	
Forms, glove	WOP	WOP	WOP	WOP	
Fur cleaning equipment	WOP	WOP	WOP	WOP	
Glaziers, fur	WOP	WOP	WOP	WOP	
Glove cleaning machines	WOP	WOP	WOP	WOP	
Hangers, revolving shirt	WOP	WOP	WOP	WOP	
Hatters' equipment	WOP	WOP	WOP	WOP	
Holders, bag	WOP	WOP	WOP	WOP	
Holders, net	WOP	WOP	WOP	WOP	
Irons, puff	WOP	WOP	WOP	WOP	
Irons, rotary	WOP	WOP	WOP	WOP	
Irons, steam	WOP	WOP	WOP	WOP	
Ironers, edger	WOP	WOP	WOP	WOP	
Ironers, hat crown	WOP	WOP	WOP	WOP	
Ironers, ruffle	WOP	WOP	WOP	WOP	
Ironer attachments					
String mark eliminators	WOP	WOP	WOP	WOP	
Napping machines (carding machines for blanket finishing).	WOP	WOP	WOP	WOP	
Puffers, steam	WOP	WOP	WOP	WOP	
Rug cleaning machines (stationary)	WOP	WOP	WOP	WOP	
Sand bags, hat	WOP	WOP	WOP	WOP	
Seam cleaners	WOP	WOP	WOP	WOP	
Shirt envelop machines	WOP	WOP	WOP	WOP	
Steamers, garment	WOP	WOP	WOP	WOP	
Steamers, velvet	WOP	WOP	WOP	WOP	
Sterilizers, feather	WOP	WOP	WOP	WOP	
Stretchers, blanket and curtain	WOP	WOP	WOP	WOP	
Stretchers, dress	WOP	WOP	WOP	WOP	
Tables, steam	WOP	WOP	WOP	WOP	
Tubs, scrub	WOP	WOP	WOP	WOP	
Tubs, starch	WOP	WOP	WOP	WOP	
Tubs, stationary laundry	WOP	WOP	WOP	WOP	
Washers, glove	WOP	WOP	WOP	WOP	
Mining Equipment and machinery <sup>17</sup> (new and used).	No	No	No	No	
Motion Picture (35 mm.) projection equipment and accessories:					
List 1					
Amplifiers	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Bases	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Complete portable projectors.	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Complete projection arc	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Complete projectors	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Complete sound systems	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Current converting devices	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Loud speakers	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Pedestals	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Projection arc lamphouses	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Projector mechanisms	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	
Sound heads	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	No <sup>18</sup>	

<sup>17</sup> Any equipment or machinery (whether mining, construction, industrial or otherwise) acquired by a producer as defined in F-56 may be transferred by such producer only to another producer who holds a serial number under such order or with permission of the Mining Division, WPB.

<sup>18</sup> May be sold only on WPB authorization (Forms WPB-3253, WPB-3254).

<sup>19</sup> May be sold only on WPB authorization (Forms WPB-3253, WPB-3254).

## FEDERAL REGISTER, Tuesday, April 4, 1944

**LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (f) (2) AND (3) OF THIS REGULATION—Continued**

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products (1)	Persons who produce material in the form in which the holder bought it (2)	Users permitted to buy and use under existing WPB orders (3)	Reproducers who are permitted to buy (4)	Wholesale dealers who sell the material in the form held by holder (5)	Remarks (6)
<i>List 2</i>					
Motion Picture, etc.—Con. Automatic enclosed rewinders.	WOP...	WOP.....	WOP...	WOP...	
Change-over devices.....	WOP...	WOP.....	WOP...	WOP...	
Film splicers.....	WOP...	WOP.....	WOP...	WOP...	
Hand rewinders.....	WOP...	WOP.....	WOP...	WOP...	
Nitrate film storage cabinets.	WOP...	WOP.....	WOP...	WOP...	
Repair units and repair parts (except electronic parts).	WOP...	WOP.....	WOP...	WOP...	
Steel fireproof booth tables.....	WOP...	WOP.....	WOP...	WOP...	
Take-up reels.....	WOP...	WOP.....	WOP...	WOP...	
Motors and generators, electric (fractional horsepower) excepting those used as starters or magnetos on internal combustion engines.	WOP...	No <sup>21</sup> .....	X.....	No.....	<sup>22</sup> Does not apply to the sale, exchange or other transfer of fractional horsepower motors between the Army, Navy, Maritime Commission or War Shipping Administration, their contractors or subcontractors provided the fractional horsepower motors will be used in the completion of a contract of the Army, Navy, Maritime Commission or War Shipping Administration rated AA-2X or higher.
<i>Office machinery:</i>					
<i>List 1</i>					
Accounting machines, bookkeeping machines and billing machines (accounting principle.) Also continuous forms handling machines (typewriter principle) having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.	WOP...	No <sup>21</sup> .....	No.....	No.....	<sup>21</sup> May be sold only on WPB authorization. (Form WPB-1688).
Adding machines.....	WOP...	No <sup>21</sup> .....	No.....	No.....	
Addressing machines, including but not limited to embossing machines for plates, and stencil cutting machines embodying typewriter principle.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Calculating and computing machines:					
Rotary and others.....	WOP...	No <sup>21</sup> .....	No.....	No.....	
Duplicating machines including but not limited to ink ribbon gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators:					
Gelatin.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Offset and relief.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Spirit.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Stencil.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Machines and collateral equipment intended for use for dictating purposes.	WOP...	No <sup>21</sup> .....	No.....	No.....	<sup>22</sup> May be sold only on WPB authorization (Form WPB-1688).
Microfilm machines designed for office functions.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).	WOP...	No <sup>21</sup> .....	No.....	No.....	
Payroll denominating machines.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Punched card tabulating and accounting machines and collateral equipment.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Time recording machines and collateral equipment, except watchmen's clocks.	WOP...	No <sup>21</sup> .....	No.....	No.....	
Time stamp machines and collateral equipment.....	WOP...	No <sup>21</sup> .....	No.....	No.....	<sup>22</sup> May be sold on WPB authorization. (Form WPB-1688).
Typewriters—new nonportable.....	WOP...	No <sup>21</sup> .....	No.....	No.....	
Typewriters—new portable.....	WOP...	No <sup>21</sup> .....	No.....	No.....	
Typewriters—used nonportable.....	WOP...	No <sup>21</sup> .....	WOP...	WOP...	<sup>23</sup> Subject to OPA Reg. RO-4A.
Typewriters—used portable.....	WOP...	No <sup>21</sup> .....	WOP...	WOP...	

## LIST B—CLASSES OF BUYERS TO WHOM SPECIAL SALES OF FINISHED PRODUCTS MAY BE MADE IN ACCORDANCE WITH THIS LIST, SUBJECT TO PARAGRAPH (F) (2) AND (3) OF THIS REGULATION—Continued

This list refers only to new finished products unless used finished products are specifically mentioned. Finished products not on this list may be sold freely to producers and wholesalers and to all others on a rating of AA-5 or higher.

Finished products	Persons who produce material in the form in which the holder bought it	Users permitted to buy and use under existing WPB orders	Reprocessors who are permitted to buy	Wholesale dealers who sell the material in the form held by holder	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
<i>List 2</i>					
Office machinery—Con.					
Autographic registers	WOP	WOP	WOP	WOP	
Cash (registering machines)	WOP	WOP	WOP	WOP	
Change making machines	WOP	WOP	WOP	WOP	
Check cancelling machines	WOP	WOP	WOP	WOP	
Check cutting machines	WOP	WOP	WOP	WOP	
Check dating machines	WOP	WOP	WOP	WOP	
Check endorsing machines	WOP	WOP	WOP	WOP	
Check numbering machines	WOP	WOP	WOP	WOP	
Check protecting machines	WOP	WOP	WOP	WOP	
Check signing machines	WOP	WOP	WOP	WOP	
Check sorting machines	WOP	WOP	WOP	WOP	
Check writing machines	WOP	WOP	WOP	WOP	
Coin counting machines	WOP	WOP	WOP	WOP	
Coin sorting machines	WOP	WOP	WOP	WOP	
Coin wrapping machines	WOP	WOP	WOP	WOP	
Currency counting machines	WOP	WOP	WOP	WOP	
Envelope contents folding machines	WOP	WOP	WOP	WOP	
Envelope handling machines	WOP	WOP	WOP	WOP	
Envelope mailing machines	WOP	WOP	WOP	WOP	
Envelope opening machines	WOP	WOP	WOP	WOP	
Envelope sealing machines	WOP	WOP	WOP	WOP	
Envelope stuffing machines	WOP	WOP	WOP	WOP	
Mail room folding machines	WOP	WOP	WOP	WOP	
Perforating machines (marking and cancelling)	WOP	WOP	WOP	WOP	
Postal permit mailing machines	WOP	WOP	WOP	WOP	
Post office cancelling machines	WOP	WOP	WOP	WOP	
Shorthand writing machines	WOP	WOP	WOP	WOP	
Stamp affixing machines	WOP	WOP	WOP	WOP	
Printing and publishing machinery, parts and supplies (new and used)					
Graphic arts machinery: Machine composition	WOP	No <sup>24</sup>	WOP	WOP	
Hand composition	WOP	No <sup>25</sup>	WOP	WOP	
Photoengraving, lithographic and gravure plate making	WOP	No <sup>25</sup>	WOP	WOP	
Electrotyping, stereotype rubber and plastic	WOP	No <sup>25</sup>	WOP	WOP	
Presses	WOP	No <sup>25</sup>	WOP	WOP	
Bindery	WOP	No <sup>25</sup>	X	WOP	
Ranges, domestic electric	WOP	WOP <sup>26</sup>	X	WOP	
Refrigerators, domestic mechanical	No <sup>27</sup>	No <sup>28</sup>	X	No <sup>27</sup>	
Sterilizer equipment	WOP	WOP	WOP	WOP	
Tools:					
Machine tools <sup>29</sup>	WOP	WOP	WOP	WOP	"The term "Machine Tool" means all machines (except portable machine tools) for the cutting (except heat cutting) abrading, shaping, forming, straightening and forcing of metals.
Metal cutting <sup>30</sup>	WOP	WOP	WOP	WOP	"Except chasers.
Track-laying tractor parts	WOP	WOP	WOP	WOP	

[F. R. Doc. 44-4628; Filed, April 1, 1944; 11:20 a. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-513]

## IMPERIAL MANUFACTURING COMPANY

Joseph Reiter and Herbert Holmberg, co-partners, doing business under the

name of Imperial Manufacturing Company, 2019 East Lake Street, Minneapolis, Minnesota, were engaged in the business of constructing and selling pre-fabricated houses. Between August 15, 1943, and November 1, 1943, they con-

structed two pre-fabricated houses, one at Spring Lake Park, Minnesota, and the other at New Brighton, Minnesota, and sold them without authorization of the War Production Board and in violation of Conservation Order L-41. The estimated cost and sale price of these structures was approximately \$925 and \$1,450, respectively, both of which exceeded the \$200 limit permitted under Conservation Order L-41. Joseph Reiter and Herbert Holmberg had such knowledge of Conservation Order L-41 that their beginning these constructions constituted wilful violations of the order.

These violations of Conservation Order L-41 have diverted scarce materials to uses not authorized by the War Production Board and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.513 Suspension Order S-513.  
 (a) Deliveries of material to Joseph Reiter and Herbert Holmberg, doing business as Imperial Manufacturing Company, or otherwise, their and its successors or assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned, applied or extended to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Joseph Reiter and Herbert Holmberg, doing business as Imperial Manufacturing Company, or otherwise, their and its successors or assigns, directly or indirectly, of any material or product the supply or distribution of which is governed by any order of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Joseph Reiter and Herbert Holmberg, doing business as Imperial Manufacturing Company, or otherwise, their and its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on March 31, 1944, and shall expire on June 29, 1944.

Issued this 24th day of March 1944.

WAR PRODUCTION BOARD.

By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4604; Filed, March 31, 1944;  
4:28 p. m.]

PART 1226<sup>1</sup>—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-111, as Amended Apr. 1, 1944]

HAND TRUCKS AND OTHER HANDLING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of steel and other materials, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

**§ 1226.112<sup>1</sup>** General Limitation Order L-111—(a) Definitions. For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person who fabricates or assembles hand trucks, platforms, pallets, portable (platform type) elevators, or racks.

(3) "Hand truck" means any truck, lift truck, lift jack, dolly, or trailer, not self-power propelled, with one or more free running wheels or casters, designed or used for transporting material of any kind; except a hospital cart designed for moving materials in parts of hospitals customarily used by patients, or a trailer for use on the highway or for use in earth moving, mining, logging, or petroleum development.

(4) "Dolly" means any low platform or structure mounted on wheels or casters (or one or more of each), and designed primarily for moving bulky loads on floors.

(5) [Revoked, September 6, 1943.]

(6) "Lift truck" means a hand truck designed or used to lift and support a platform or pallet in moving. "Lift jack" means a hand truck designed or used to lift and support a part of a semi-live platform in moving.

(7) "Two wheel hand truck" means a hand truck in which the load is partly carried or balanced by a person, even though such hand truck may be equipped with more than two wheels or casters.

(8) "Platform truck" means a hand truck consisting of a platform on wheels or casters or both, not self-power propelled.

(9) "Trailer" means a platform type truck designed to be towed.

(10) "Platform" means any platform, deck or skid, with or without box top or enclosure, standing on legs or other supports, and used or designed primarily for use in conjunction with hand or power operated lift trucks, portable (platform type) elevators, or similar devices. "Semi-live platform" means a platform with one or more wheels, or casters, and one or more legs or similar supports.

(11) "Pallet" means a single or double faced support designed primarily for the same purposes as a platform.

(12) "Portable (platform type) elevator" means any elevating device, mounted on wheels or casters (or one or more of each), with either power or hand operated lift, used or designed primarily for elevating or lowering material, for purposes of tiering, stacking, or access to elevated places.

(13) "Rack" means any rack or other structure used or designed primarily for the storage of pallets or platforms, or storage or draining (or both) of barrels, drums, carboys, or similar containers.

(14) [Deleted Apr. 1, 1944]

(15) "Copper or copper base alloy" means unalloyed copper metal, or alloy metal containing 40% or more by weight of copper metal. It shall include unalloyed copper metal or alloy metal produced from scrap.

(16) [Deleted Apr. 1, 1944]

(b) *Restrictions on acceptance of orders for hand trucks, platforms, and portable (platform type) elevators, and parts.* (1) No manufacturer, dealer or other person shall accept any order for any new hand truck, platform, or portable (platform type) elevator, or any new parts for any such equipment, or deliver any such equipment or parts under any order tendered on or after April 13, 1943, unless such order bears a preference rating of AA-5 or higher.

(2) The foregoing requirements shall not apply to any order for parts to be delivered to a manufacturer or dealer for resale for repair purposes, or to any other person for use in the repair of any such equipment already owned by such person, if the purchaser furnishes his supplier with a certification in substantially the following form, on the purchase order or in a separate document:

I hereby certify that the above (or attached) order is for parts to be used for repair purposes only, in compliance with paragraph (b) (2) of General Limitation Order L-111.

----- Company  
By -----  
(Authorized Official)

Such certification shall in every case be signed by the purchaser or an authorized official, either manually or as provided in Priorities Regulation No. 7. No person shall make delivery under any such order if he knows or has reason to believe that such certificate is false; and no person shall falsely furnish any such certification. Such certification shall constitute a representation to the War Production Board, as well as to the supplier, that the statements therein are true. Any supplier may rely upon the information therein, and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he knows or has reason to believe that such statements are inaccurate or untrue.

(c) *Operation reports.* On or before the 15th day of each calendar month,

each manufacturer shall file a report with the War Production Board on Form WPB-2494 (formerly PD-845) showing his production capacity and such other information as may be required by said form. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(d) *Required specifications for hand trucks and other handling equipment.* No person shall manufacture or deliver any new hand trucks, platforms, pallets, racks, or portable (platform type) elevators, or deliver any new wheels, or other parts for use on any such new equipment or for replacement on any such used equipment, except in accordance with the specifications and restrictions set forth below, and no person shall deliver, or accept delivery of, any such equipment which he knows, or has reason to believe, was manufactured, or is being delivered, contrary to such specifications and restrictions:

(1) [Revoked September 6, 1943.]

(2) *Restriction on the use of bearings and materials.* No ball bearings or roller bearings shall be used in the manufacture of two-wheel hand trucks, platform trucks, dollies, or semi-live platforms, except where the normal load capacity is 2500 lbs. or more, and except also that ball bearings and other alloy steel may be used in the swivel bearings or casters. This restriction shall not be deemed to prohibit the use of pin bearings using unground steel pins of other than alloy steel.

(3) [Deleted Apr. 1, 1944]

(4) [Deleted Apr. 1, 1944]

(5) *Restrictions on use of copper and copper base alloy.* No copper or copper base alloy shall be used in the manufacture of hand trucks, pallets, or platforms, except in hydraulic packing washers, or where the use of other materials would create a definite explosion hazard as a result of the necessity of using such equipment in the same room with, or in other close proximity to materials subject to explosive reaction from sparks, such as black powder, lead azide, igniter composition, tracer mixtures, primer mixtures, incendiary composition, vapors from combustible substances, or dust from explosives. However, brass may be used in bearings where bearings are permitted under paragraph (d) (2).

(6) *Restrictions on use of aluminum, tin, cadmium, zinc, and metallic plating and finishes.* No aluminum, tin, cadmium, zinc, metallic plating or metallic finishes shall be used in the manufacture of hand trucks, pallets, or platforms, except that zinc may be used for galvanizing when required by regulations of the Department of Agriculture or other federal agency, or by a state law, or where it would be required if such federal regulations were applicable in intra-state commerce.

<sup>1</sup> Formerly Part 1209, § 1209.1.

(e) [Deleted Apr. 1, 1944]

(f) *Exemptions and exceptions.* (1) [Deleted Apr. 1, 1944]

(2) The limitations and restrictions of paragraph (d) of this order shall not apply:

(i) To the manufacture, delivery and acceptance of parts which are to be used for repair and maintenance only and which cannot be used for replacement on existing equipment in a practical manner if made in conformity with such specifications and restrictions;

(ii) To the manufacture, delivery and acceptance of parts which on April 23, 1943, had been fabricated or processed to the extent that any other use would be impractical;

(iii) To the manufacture, delivery and acceptance of any hand trucks or other handling equipment in the process of manufacture on April 23, 1943, and to be used in filling any order accepted by the manufacturer prior to said date;

(iv) [Deleted Apr. 1, 1944]

(3) [Deleted Apr. 1, 1944]

(g) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as issued and amended from time to time.

(2) [Revoked September 6, 1943.]

(3) [Revoked September 6, 1943.]

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. This letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(6) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref.: L-111.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### INTERPRETATION 1

Questions have arisen as to whether the term "hand truck", as defined in paragraph (a) (3), includes equipment of the following kinds:

So-called "carriers" of the types furnished for the use of customers in self-service gro-

cery stores for carrying small quantities of groceries to the cashier's desk; equipment of similar design used in offices for moving light wire baskets of correspondence and the like about the office; and canvas covered baskets or hampers used for moving linens, trash, and other very light materials. Items of these kinds of equipment consist of a very light frame work mounted on small wheels or casters.

Equipment of these kinds is not included in the definition of "hand truck", and is not covered by Order L-111.

It is to be noted, however, that hand trucks of heavier construction, such as those used by the employees in retail stores for moving cases or boxes of merchandise about the store in restocking the shelves or for other purposes, are covered by the order along with other trucks of still heavier construction. (Issued Mar. 6, 1944)

[F. R. Doc. 44-4629; Filed, April 1, 1944;  
11:20 a. m.]

#### PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-111,  
Interpretation 2]

#### HAND TRUCKS AND OTHER HANDLING EQUIPMENT

The following interpretation is issued with respect to General Limitation Order L-111:

Book trucks, dish trucks, food carts, laundry trucks and laundry truck tubs, linen trucks, and shelf trucks are within the definition of "hand trucks" in paragraph (a) (3), except for hospital carts of the kinds which are specifically excluded by that definition, and except for "carriers" of the kinds described in Interpretation 1. Neither are such hospital carts and carriers within any of the other classes of equipment which are covered by the order.

It is to be noted that the term "hand trucks" includes both two wheel hand trucks and other kinds which have more than two wheels or casters and that paragraphs (b), (d) (5), and (d) (6) therefore apply to hand trucks of all types which are covered by the order (as well as other kinds of equipment referred to in these paragraphs).

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4630; Filed, April 1, 1944;  
11:20 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-23-c, Interpretation 1]

#### STOVE TOP WORK SPACE NOT "ACCESSORIES"

The following interpretation is issued with respect to Limitation Order L-23-c:

Production of stoves with top work space is not prohibited by Limitation Order L-23-c. "Accessories" as defined in paragraph (a) (4) of the order does not include top work space.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4631; Filed, April 1, 1944;  
11:20 a. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-512]

#### MASTER MANUFACTURING CORPORATION

Master Manufacturing Corporation of 119 Main Street, Sioux City, Iowa, was known at the time of the following occurrences as the Master Refrigerator Locker System, Inc., and is an Iowa corporation engaged in the business of manufacturing food lockers, as well as certain items which are of a military nature. The corporation admits the receipt of 644 tons of steel in excess of the quantity specifically authorized by its PRP certificates, between July 1, 1942, and February 11, 1943, in violation of Priorities Regulation No. 11. As to 474 of these tons, the corporation filed PD-25A forms in order to obtain steel and the forms contained a statement that the ratings assigned thereon were subject to the provisions of Priorities Regulation No. 11, and the War Production Board has otherwise found that the responsible officers of the corporation were aware of Priorities Regulation No. 11 or from their general business experience should have been aware of the regulation. These violations of Priorities Regulation No. 11 are deemed wilful, and they have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.512 Suspension Order No. S-512. (a) Master Manufacturing Corporation, its successors and assigns, shall not, directly or indirectly, receive steel in any form in a total tonnage exceeding 650 tons, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Master Manufacturing Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on August 1, 1944.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4663; Filed, April 1, 1944;  
4:53 p. m.]

#### PART 1010—SUSPENSION ORDERS

[Suspension Order S-514]

#### SOILLESS GROWERS GUILD

Henry Phillips does business under the name of Soilless Growers Guild at 259 Jefferson Avenue S. E., Grand Rapids, Michigan, and is engaged in the assembly and distribution of Phillips Soilless Plant Balls of both flowers and vegetables. Soilless Growers Guild, during the months of September and October, 1943, applied preference ratings to obtain quantities of shipping containers

in excess of the amount authorized by the War Production Board, in violation of Priorities Regulation No. 3. During the months of September and October, 1943, Soilless Growers Guild duplicated purchase orders with one or more suppliers for deliveries of shipping containers, to which it applied ratings in such a manner that the amount of shipping containers ordered exceeded the amount authorized, in violation of Priorities Regulation No. 3. Henry Phillips was sufficiently conversant with War Production Board Regulations so that he knew, or reasonably should have known, that his actions constituted violations of Priorities Regulation No. 3, and the violations must therefore be deemed wilful.

These violations of Priorities Regulation No. 3 have interferred with the War Production Board's system of priorities and allocations, and have hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

**§ 1010.514 Suspension Order No. S-541.** (a) Deliveries of material to Henry Phillips, doing business as Soilless Growers Guild, or under any other name, his or its successors or assigns, shall not be accorded priorities assistance, directly or indirectly, over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended, directly or indirectly, to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation, including allotments, of materials or products, the supply or distribution or which is governed by any order of the War Production Board, shall be made to Henry Phillips, doing business as Soilless Growers Guild, or under any other name, his or its successors or assigns, unless hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Henry Phillips, doing business as Soilless Growers Guild, or under any other name, his or its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The provisions of this order shall not be applicable to deliveries of materials upon orders bearing a preference rating of AA-1 or higher.

(e) This order shall take effect on April 1, 1944, and shall terminate on July 1, 1944.

Issued this 25th day of March 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4662; Filed, April 1, 1944;  
4:53 p. m.]

#### PART 1075—CONSTRUCTION

[Limited Preference Order P-55-c, Amdt. 1]

##### HOUSING CONSTRUCTION

Section 1075.13 *Limited Preference Order P-55-c*, as amended February 12, 1944, is hereby amended as follows:

1. Paragraph (a) by eliminating the words "a" and "project" in the first sentence of this paragraph; by adding to the end of the second sentence "remodeling and installations"; by eliminating the third and fourth sentences and substituting "It covers all housing construction, remodeling and installations except construction of the types not included in the definition of housing (paragraph (j) (3)); by inserting after the word "property" in the fifth sentence "to the extent not covered by CMP Regulation 5, 5A or 9A, or General Limitation Order L-79"; by eliminating the word "construction" in the second paragraph.

2. Paragraph (b) by inserting "re-model, or make installation in" after the word "construct" in the first sentence; by adding "to the National Housing Agency" after "2896"; by omitting the second sentence and substituting "This paragraph does not apply to FPHA and HOLC construction."

3. Paragraph (c) by omitting the first sentence and substituting "Approval of the application on Form WPB-2896 by National Housing Agency and approval by the National Housing Agency of FPHA and HOLC projects constitutes WPB authorization under Order L-41"; by adding "installations" after "roads" and omitting "on Form WPB-2896, and is" and substituting "by the National Housing Agency and shown on the application Form WPB-2896 where this form is required".

Paragraph (c) (1) by inserting "In the case of construction of a new building or structure, if" in the place of "If" at the beginning of the first sentence and by inserting "National Housing Agency" in place of the words "agency which approved the application" in the first sentence.

Paragraph (c) (3) by adding a new sentence "Construction of temporary war housing by the FPHA must conform to these and such other requirements with respect to the use of material as may be imposed by the War Production Board".

4. Paragraph (d) by inserting the word "specifically" immediately before the word "list" and eliminating "the housing project" and substituting "construction" in the first sentence by inserting a new second sentence "However, if the application is for an installation only the description of the work should clearly indicate what is contemplated"; by omitting in the present second sentence "of H-1 or S-2 (whichever is shown in the application as approved)" and substituting "H" with the program designation number shown on the application as approved".

5. Paragraph (j) (3) by omitting the word "project" in the first sentence; by adding at the end of the paragraph:

It does not include construction of the following types:

(i) Farm housing and mobile farm labor camps.

(ii) Housing being built directly by or under the direct management of the Military Services.

(iii) Hotels and similar establishments of more than 10 rooms providing housing primarily for transients.

(iv) Institutional Housing—Dormitories and other housing owned and operated by and as an integral part of an "institution," as defined in Paragraph (b) (2) of CMP Reg. 5A.

(v) Mobile housing units (trailers).

(vi) Residential construction built by an "operator" (as defined in P-98-b) under a Petroleum Administrative Order of the Petroleum Administration for War.

(vii) Housing built and owned by a producer, as defined in Utilities Order U-1, which consists of not more than 10 dwelling units and is accessory to and an integral part of a project undertaken primarily for the construction of an isolated plant addition such as a gas compressor station or hydro-electric plant.

(viii) Construction of commercial establishments in existing houses, or the remodelling of or installations in those establishments.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4660; Filed, April 1, 1944;  
4:51 p. m.]

#### PART 3291—CONSUMERS DURABLE GOODS

[Limitation Order L-227, as Amended April 1, 1944]

##### FOUNTAIN PENS AND MECHANICAL PENCILS

Section 3291.210 *Limitation Order L-227* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and certain facilities used in the production of fountain pens and mechanical pencils for defense, for private account and for export, and it is deemed necessary and appropriate in the public interest and to promote the national defense to continue restrictions on the production of those articles but to modify the restrictions by assigning individual quotas to producers, instead of a general percentage of 1941 production, so as to give small producers a proportionately larger share in the production, to adjust production in the light of critical shortages of manpower in certain areas, and to adjust production on account of changes since 1941 with respect to location of plants and nature of products. At the same time materials restrictions are being somewhat relaxed to permit the use of certain materials which have become less scarce.

##### § 3291.210 *Limitation Order L-227*

(a) Effect on outstanding authorizations. This order and the quotas as-

signed in Schedule A supersede all authorizations for the manufacture, assembly or delivery of fountain pens or mechanical pencils granted by the War Production Board, on appeal or otherwise, before April 1, 1944.

(b) *Definitions.* For the purposes of this order:

(1) "Fountain pen" means a writing device which can hold more fluid than that retained by capillary attraction on the surface of its pen nib. A dip pen is a fountain pen whether or not a pen nib is attached to it.

(2) "Mechanical pencil" means a writing instrument having a movable core of marking material encased in a housing.

(3) "Part" means any part made specifically for incorporation into a fountain pen or mechanical pencil.

(4) "Special order" means any purchase order, contract or subcontract calling for delivery:

(i) To or for the account of the Jersey City Quartermaster Depot of the United States Army, bearing Symbol No. W-1913-QM or 23-021-QM; or to or for the account of the Procurement and Accounting Division of the Office of the Secretary of War, or to or for the account of the Corps of Engineers of the United States Army for civilian functions;

(ii) To or for the account of the Navy (including ship service stores and Marine Post Exchanges);

(iii) To or for the account of the Maritime Commission or War Shipping Administration;

(iv) Outside the United States, its territories and possessions if it bears an export license issued by the Foreign Economic Administration.

(5) "Civilian production" means production of fountain pens or mechanical pencils for any order, contract or subcontract not included in special orders. It includes production for inventory other than production for anticipated special orders as permitted by this order. It does not include production for direct orders from Army Post Exchanges, and such orders may not be filled at all.

(c) *Restrictions on manufacture and delivery of fountain pens and mechanical pencils.* (1) During the calendar quarter beginning April 1, 1944, and during each calendar quarter after that until further notice from the War Production Board, no manufacturer shall make, assemble, or deliver any fountain pens or mechanical pencils for any purpose, except that each manufacturer listed on Schedule A may make or assemble at the location listed on that schedule and may deliver the quota of pens and pencils indicated after his name on the schedule for special orders and civilian production respectively.

(2) Any manufacturer who is not assigned a quota on Schedule A but who actually produced fountain pens or mechanical pencils during the first calendar quarter of 1944, in compliance with applicable orders and regulations of the

War Production Board, is hereby assigned a provisional production and delivery quota during the second calendar quarter of 1944 only, for combined civilian production and special orders of one-half the amount of fountain pens and mechanical pencils, respectively, actually made by him during the first quarter of 1944. Any such manufacturer, and any other manufacturer who is not assigned a quota on Schedule A, may file an application with the War Production Board for a quota. Also, a manufacturer who wishes a quota increased or who wishes to manufacture at a location other than the one listed on the schedule may make application.

(d) *Materials restrictions for fountain pens, mechanical pencils and parts.* No person shall use any copper, copper base alloy, or crude, reclaimed or synthetic rubber in the manufacture of fountain pens, mechanical pencils or parts except:

(1) Copper in the production of silver or 14 karat gold pen nibs; and

(2) Crude, reclaimed or synthetic rubber as permitted in Rubber Order R-1, as amended, or any relief granted on appeal under that order.

(e) *Special restrictions on plating.* No person shall use in the manufacture of fountain pens, mechanical pencils or parts, any plating, coating or other metal finish containing:

(1) Tin, cadmium or nickel; or

(2) Copper unless permitted by Order M-9-c.

(f) *Distribution of civilian production.* In any case where a distributor of fountain pens or mechanical pencils either under his own brand name or under the name of the manufacturer is unable to get what he considers an equitable share of the civilian production of fountain pens or mechanical pencils he may apply to the War Production Board on Form WPB-547 for a rating.

(g) *Special restrictions on purchase and sale of fountain pen parts.* No person shall buy or accept delivery of any fountain pen parts except for the manufacture, production and assembly of fountain pens (including dip pens) as permitted by this order or for use or resale as repair parts. No person shall sell or deliver any fountain pen parts if he knows or has reason to believe that the purchaser is getting them in violation of this provision.

(h) *Reports.* Each manufacturer who makes fountain pens or mechanical pencils shall file within 15 days after the close of each calendar quarter a report of his production on Form WPB-1600 in accordance with the filing instructions for that form.

(i) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining

further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeal.* Any appeal from the provisions of this order must be made on Form WPB-1477 (formerly PD-500) and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(k) *Applicability of other orders and regulations.* This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of fountain pens and mechanical pencils to a greater extent than does this order, the other order shall govern unless it states otherwise.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-227.

**NOTE:** The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 1st day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

(1) Pursuant to paragraph (b) of Limitation Order L-227, the following production and delivery quotas for fountain pens and mechanical pencils are hereby established for the calendar quarter beginning April 1, 1944, and for each calendar quarter after that until further notice from the War Production Board.

(2) Each manufacturer listed may make and deliver the number of fountain pens and mechanical pencils set forth opposite his name for special orders and civilian production respectively.

(3) Quotas for special orders, include special orders actually on hand and received and also anticipated special orders, but the amount made for anticipated special orders by any one manufacturer listed may not in any event exceed 50% of his quarterly production quota for civilian production.

(4) Manufacturers may make their quotas only at the locations stated on the Schedule.

(5) In assigning production and delivery quotas the War Production Board has been guided by the following general policies:

(i) Manufacturers in Group 1 and Group 2 labor areas and manufacturers whose facilities are substantially engaged in war work have not been assigned quotas which would permit them to increase their production above the amounts actually produced in the fourth calendar quarter of 1943.

(ii) Small manufacturers producing less than 100,000 units in 1940 have been given a larger percentage of their pre-war production than larger manufacturers.

(iii) The War Production Board has attempted to allocate production to fill special orders so that all manufacturers making a pen or pencil which will satisfy military requirements will have a chance to secure special order business.

## FEDERAL REGISTER, Tuesday, April 4, 1944

## FOUNTAIN PENS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Adler Pen & Pencil Co.	395 Broadway, New York City	25,000	Unlimited
Arnold, R. L. Pen Co., Inc.	143 E. Washington St., Petersburg, Va.	197,250	247,500
Associated Pen Co.	45 E. 20th St., New York City	123,250	Unlimited
Avon Products Co.	49 W. 23d St., New York City	206,250	Unlimited
Barret, C. E. & Co.	315 S. Peoria St., Chicago, Ill.	18,250	10,000
Camel Pen Co.	2300 Morris Ave., Union, N. J.	6,250	6,250
Cooper Pen & Pencil Co.	Northvale, N. J.	11,000	10,900
Eagle Pencil Co.	703 E. 13th St., New York City	224,500	Unlimited
Eberhard Faber Pencil Co.	37 Greenpoint Ave., Brooklyn, N. Y.	170,750	Unlimited
Essex Corporation	Charlottesville, Va.	206,500	Unlimited
Esterbrook Steel Pen Mfg. Co.	Delaware Ave. & Cooper St., Camden, N. J.	142,000	61,000
Eversharp, Inc.	1800 Roscoe St., Chicago, Ill.	155,000	214,500
Frank Feldman	Nassau, N. Y.	81,500	Unlimited
Gilbert & Miller, Inc.	693 Broadway, New York City	6,750	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	16,500	Unlimited
Graphomatic Corporation	155 N. Clark St., Chicago, Ill.	1,500	1,500
Gregory Fount-O-Ink Co.	3501 Eagle Rock Blvd., Los Angeles, Calif.	11,000	11,000
Grodin Pen & Pencil Co.	344 Foster Ave., Brooklyn, N. Y.	25,000	Unlimited
J. Harris & Co.	113 E. 23d St., New York City	99,000	Unlimited
Hutcheon Bros.	241 Centre St., New York City	2,750	Unlimited
Inkograph Co.	200 Hudson St., New York City	96,500	Unlimited
David Kahn, Inc.	Grand Avenue, N. Bergen, N. J.	953,750	19,000
Kerr Pen Co.	Tulsa, Okla.	12,750	Unlimited
Moore Pen Co.	29 Melcher St., Boston, Mass.	11,000	1,750
Bert M. Morris Co.	1015 S. LaCienega Blvd., Los Angeles, Calif.	11,250	11,250
New Diamond Point Pen Co., Inc.	236 Fifth Avenue, New York, N. Y.	77,500	Unlimited
No-Mek Pen Products	10855 Prospect Avenue, Chicago, Ill.	2,250	2,250
Novelty Pen & Pencil Co.	318 Cliff Lane, Cliffside, N. J.	107,750	122,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	195,750	32,500
Parker Pen Co.	Janesville, Wis.	190,000	240,000
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	43,750	Unlimited
Preferred Products Co.	1723 West 12th St., Toledo, Ohio	5,000	5,000
Reliable Pen & Pencil Co.	277 Broadway, New York City	7,500	Unlimited
Salz Bros., Inc.	44 West 28th St., New York City	391,750	Unlimited
Sengbusch Self-Closing Inkstand Co.	2222 W. Clybourn St., Milwaukee, Wis.	11,500	3,250
W. A. Sheaffer Co.	311 Avenue H., Fort Madison, Iowa	190,500	290,750
Southern Pen Co.	16 N. Union St., Petersburg, Va.	76,250	3,500
Louis Tamis & Son	36 West 47th St., New York City	500	Unlimited
J. Ullrich & Co.	161 Washington St., New York City	4,500	Unlimited
Union Ft. Pen Co., Inc.	79 Fifth Avenue, New York City	25,000	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	12,500	Unlimited
L. E. Waterman Co.	344 Hudson St., New York City	93,000	Unlimited
Weidlich Pen Co.	505 Elm St., Cincinnati, Ohio	1,500	Unlimited
Welsh Mfg. Co.	54 Troy, Providence, R. I.	81,000	68,250

## MECHANICAL PENCILS

Name of firm	Location of plant	Production and delivery quotas for civilian production	Production and delivery quotas for special orders
Autopoint Pencil Co.	1801 Foster Ave., Chicago, Ill.	83,500	315,750
C. E. Barrett & Co.	315 S. Peoria St., Chicago, Ill.	7,750	7,750
Cooper Pen & Pencil Co.	Northvale, N. J.	1,000	1,000
Dur-O-Lite Pencil Co.	1001 N. 25th St., Melrose Park, Ill.	35,250	105,500
Eberhard Faber Pencil Co.	37 Greenpoint Ave., Brooklyn, N. Y.	192,250	Unlimited
Essex Corporation	Charlottesville, Va.	372,750	Unlimited
Eversharp, Inc.	1800 Roscoe St., Chicago, Ill.	50,000	147,750
Frank Feldman	Nassau, N. Y.	13,500	Unlimited
Gilfred Corporation	26 W. 17th St., New York City	15,000	Unlimited
Globe Pencil Advertising Co.	327 71st St., Guttenberg, N. J.	19,250	95,500
Guth, Stern & Co., Inc.	159 W. 25th St., New York City	38,750	Unlimited
Hardtmuth, L. & C. Inc.	Bloomsbury, N. J.	6,250	6,250
David Kahn, Inc.	Grand Ave., N. Bergen, N. J.	240,250	945,250
Jos Lipic Pen Co.	2201 Indiana Ave., St. Louis, Mo.	131,750	Unlimited
Listo Pencil Corp.	Alameda, Calif.	58,500	169,500
Mays Mfg. Co., Inc.	236 Chapman St., Providence, R. I.	20,000	75,000
Nichols Products Co.	Morristown, N. J.	2,000	2,000
Paramount Pen Co.	4102 Bergen Turnpike, N. Bergen, N. J.	26,000	89,500
Parker Pen Co.	Janesville, Wis.	26,250	69,750
Peerless Ft. Pen & Pencil Co.	14-16 W. 17th St., New York City	25,000	Unlimited
Ritepoint Co.	116 S. Grand Ave., St. Louis, Mo.	189,500	Unlimited
Rite Rite Mfg. Co.	555 Rogers St., Downers Grove, Ill.	93,000	389,000
Sala Bros., Inc.	44 W. 25th St., New York City	178,000	Unlimited
Scripto Mfg. Co.	422 Houston St., Atlanta, Ga.	252,000	625,000
W. A. Sheaffer Co.	311 Avenue H., Fort Madison, Iowa	44,000	40,500
Southern Pen Co.	16 N. Union St., Petersburg, Va.	11,250	42,750
Louis Tamis & Son	36 W. 47th St., New York City	1,000	Unlimited
Tee Pencil Co.	414 S. Robertson Blvd., Los Angeles, Calif.	2,750	2,750
Union Ft. Pen Co., Inc.	79 Fifth Avenue, New York City	7,250	Unlimited
Universal Ft. Pen & Pencil Co.	146 W. 26th St., New York City	12,500	Unlimited
Waterman, L. E.	344 Hudson St., New York City	43,000	Unlimited
Wonder Pen Co.	207 W. 26th St., New York City	19,750	Unlimited

[F. R. Doc. 44-4658; Filed, April 1, 1944; 4:51 p. m.]

## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-292, Interpretation 2]

## FOOD PROCESSING MACHINERY

The following interpretation is issued with respect to General Limitation Order L-292.

In accordance with paragraph (f) of General Limitation Order L-292, as amended, certain quota schedules have been established limiting the amount of controlled materials which may be used in manufacturing certain classes of food processing machinery during a specified quota period. The quota is a percentage of the average annual amount of such material consumed

during a specified base period. The percentage applies to each controlled material (steel, copper or aluminum) separately. No part of the percentage of one controlled material shall be added to the total percentage of another. However, the permitted percentage of a particular controlled material may be divided in any way between the several categories of such material. For example: where a manufacturer is permitted to consume during the quota period 110% of the average annual amount of steel and copper he consumed during the base period, he is not permitted to apply part or all of his steel quota to his copper quota and thereby exceed his copper quota of 110%. However, he may consume during the quota period such amount of carbon steel and such amount of alloy steel as he chooses provided the aggregate does not exceed 110% of the average annual amount of steel consumed during the base period. This rule is subject to the restriction of any order of the War Production Board against the use of a higher grade or larger quantity of material than is necessary (for example, see paragraph (c) (1) of Order M-9-c, dealing with copper).

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.[F. R. Doc. 44-4719; Filed, April 3, 1944;  
11:55 a. m.]

## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L-315 as Amended  
Apr. 3, 1944]

## ENCLOSED SAFETY SWITCHES, ENCLOSED BRANCH AND SERVICE CIRCUIT BREAKERS, SERVICE ENTRANCE EQUIPMENT, PANEL AND DISTRIBUTION BOARDS AND KNIFE SWITCHES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials used in the production of enclosed safety switches, enclosed branch and service circuit breakers, service entrance equipment, panel and distribution boards and knife switches for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

## § 1226.132 General Limitation Order L-315—(a) Definitions. For the purposes of this order:

(1) "Secondary electrical distribution equipment" means only the following new devices, rated at not more than 600 volts, which are intended to be used to provide control or protection for service entrance, branch, or feeder circuits:

(i) Enclosed safety switches rated from 30 amperes to 2400 amperes, inclusive;

(ii) Enclosed branch or service circuit breakers. This term includes only devices rated at not more than 600 amperes and in which the circuit breakers are of the type in which all current carrying parts except the terminals are completely enclosed by an insulating case;

(iii) Service entrance equipment;

(iv) Panel and distribution boards. This term includes only devices accessible from the front and designed to be supported in or against a wall;

(v) Knife switches rated from 30 amperes to 1200 amperes, inclusive.

Secondary electrical distribution equipment does not include power switchgear, as defined in Schedule IV of

Limitation Order L-154, busway plugs, electric control equipment as defined in Limitation Order L-250, or snap and toggle switches of less than 30 ampere capacity.

(2) "Enclosures" means any steel enclosing cases designed to enclose current carrying parts of secondary electrical distribution equipment.

(3) [Deleted Apr. 3, 1944.]

(4) [Deleted Apr. 3, 1944.]

(5) "Manufacturer" means any enterprise to the extent that it is engaged in the business of manufacturing secondary electrical distribution equipment, or enclosures, and includes sales and distribution outlets and warehouses owned by any such person.

(b) *Restrictions on manufacturers' sales and deliveries.* No manufacturer shall sell or deliver any secondary electrical distribution equipment or enclosures unless the sale or delivery bears a preference rating of AA-5 or higher. However, this restriction shall not apply to repair parts for secondary electrical distribution equipment or enclosures.

(c) *Conservation of materials.* After December 16, 1943, no manufacturer shall put into process any material for the manufacture of secondary electrical distribution equipment or enclosures, or parts thereof, except in accordance with the restrictions contained in Schedule A of this order. Nothing in this paragraph or Schedule A shall prohibit a manufacturer from assembling into complete devices any parts which he has in stock on December 16, 1943.

(d) *Exemptions.* The limitations of paragraph (c) shall not apply to the manufacture of any device or item of equipment for direct use by the Army, Navy, Maritime Commission or War Shipping Administration, where such equipment is required for shipboard use, or to the manufacture of any device or item of equipment for direct use on aircraft.

(e) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(4) *Communications.* All communications concerning this order, except where specific reference is made therein

to the contrary, shall be addressed to War Production Board, General Industrial Equipment Division, Washington, 25, D. C., Ref: L-315.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A—CONSERVATION RESTRICTIONS RELATING TO THE PRODUCTION OF SECONDARY ELECTRICAL DISTRIBUTION EQUIPMENT

(1) [Deleted Apr. 3, 1944.]

(2) [Deleted Apr. 3, 1944.]

(3) [Deleted Apr. 3, 1944.]

(4) [Deleted Apr. 3, 1944.]

(5) [Deleted Apr. 3, 1944.]

(6) Safety switches, enclosed branch and service circuit breakers and household type service entrance equipment, specifically designed for mounting therein current transformers, meters, or contractors, are not allowed.

(7) Special or separate dead front shields for shielding the line terminals only on enclosed safety switches, enclosed branch or service circuit breakers or service entrance equipment shall not be incorporated in equipment having general-purpose enclosures.

(8) [Deleted Apr. 3, 1944.]

(9) No copper, chromium, nickel, or alloys or finishes made of these metals shall be used in enclosures, nameplates, identification plates, or door hinges. The use of zinc is permitted only to the extent allowed in Conservation Order M-11-b. This paragraph does not govern the use of paint or paint finishes.

(10) No cadmium, or alloys or finishes made of cadmium, shall be used in or on any parts, except in silver alloy contacts for current interruption or ferrous metal parts where close tolerances must be maintained.

(11) Non-ferrous metal shall not be used in any of the following parts except where such parts are used in explosion-proof devices:

(i) Bolts, screws, clips or other devices used to ground an insulated neutral terminal plate to the enclosure;

(ii) The neutral terminal plate of equipment rated 70 amperes and less, except for plating;

(iii) Wire-binding screws and wire binding nuts rated 35 amperes and less, except that zinc or lead plating is permitted.

(12) Wire or cable lugs for ground connection to an enclosure shall not be incorporated in any equipment by the manufacturer.

(13) Draw file and polish finish of copper parts and bus bars are not allowed.

(14) Rusable type double-throw safety switches with general purpose enclosures may only be manufactured with provisions for fuses in both ends of the enclosures.

(15) Spade handles shall not be supplied on knife switches except those switches rated 600 amperes and over and switches having four or more poles.

[F. R. Doc. 44-4722; Filed, April 3, 1944;  
11:55 a. m.]

ceptance of delivery, and use of Western hemlock aircraft logs remain subject to all other applicable regulations or orders of the War Production Board.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4724; Filed, April 3, 1944;  
11:55 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Interpretation 23]

DEFINITION OF STEEL

The following interpretation is issued with respect to CMP Regulation 1:

The word "steel" as used in CMP Regulation No. 1 means all carbon steel (including wrought iron) and alloy steel in the forms and shapes indicated in Schedule I. The term includes all types of rejected or second quality material and shearings, except when sold as scrap for remelting or when sold to a dealer for sorting or processing or for resale as scrap for remelting. The term includes material (in the forms and shapes indicated in Schedule I) salvaged from scrap and sold for other than remelting purposes except that it does not include material which has been in use or service.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4723; Filed, April 3, 1944;  
11:55 a. m.]

PART 3260—TISSUE

[Limitation Order L-297, Revocation]

JAPANESE TISSUE

Section 3260.1 *Limitation Order L-297* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The manufacture and delivery of Japanese tissue remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4721; Filed, April 3, 1944;  
11:55 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b,  
Interpretation 2]

GLASS CONTAINER AND CLOSURE QUOTAS

The following official interpretation is hereby issued with respect to Order L-103-b (§ 3270.36):

Paragraph (g) sets forth the method for computing a packer's quota of new glass containers or new metal closures. The first step in the process (subparagraph (1) of para-

graph (g) is to take the number of new glass containers or new metal closures used or accepted for packing that product during the named base period. In arriving at this number a packer may not include more containers or closures than he was permitted to accept or use under the provisions of the applicable order in existence at the time. New glass containers or new metal closures accepted or used pursuant to the grant of an appeal are properly included in making the computation.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4720; Filed, April 3, 1944;  
11:54 a.m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-201 as Amended  
Apr. 3, 1944]

AUTOMOTIVE TIRE CHAINS, TRACTOR TIRE CHAINS, AND CHAIN PARTS

Limitation Order L-201 as amended July 10, 1943 (§ 3274.76) is hereby amended in its entirety to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of tire chains for use on passenger autos, commercial vehicles, and farm tractors for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.76 Limitation Order L-201—  
(a) Definitions. For the purposes of this order:

(1) "Tire chain" means:

(i) A complete chain assembly, whether or not reinforced, made for use on a tire of a passenger auto, commercial vehicle, or farm tractor in order to increase the traction of the tire.

(ii) Any cross chain, lock, hook, plate, or side chain, whether or not reinforced, made for use in repairing a complete tire chain.

(iii) Any chain assembly of the strap-on or single-chain type.

(2) "Passenger auto" means any passenger vehicle propelled by an internal combustion engine and having a seating capacity of less than eleven persons.

(3) "Commercial vehicle" means any light, medium, or heavy motor truck, truck-tractor, truck trailer, off-the-highway motor vehicle, passenger carrier having a seating capacity of eleven or more persons, or tractor other than a farm tractor.

(4) "Consumer" means the owner or operator of the vehicle for which tire chains are required, or the user of such tire chains for any other purpose.

(b) Limits on types and sizes of tire chains. (1) A producer must not make any tire chains containing any metal other than low carbon steel, or any tire chains which are plated with metal.

(2) A producer must not make any tire chains except for use on the following sizes of tires:

(i) Tires for passenger autos: 6.00-16 (in "light car special" type only); 6.50-16; 7.00-16; 7.50-16.

(ii) Tires for commercial vehicles other than farm tractors: 6.00-16, 6.50-20/32 x 6; 7.00-20; 7.50-16; 7.50-20; 20/34 x 7; 8.25-20; 9.00-20; 9.75-20.

(iii) Tires for farm tractors: As required.

(3) All tire chain produced for passenger autos or commercial vehicles must be of the types called A, C, G, and M in Tire Chain Specifications No. 7140, copyrighted by The Chain Institute, Inc., Chicago, Illinois, published July 1, 1940.

(c) Production of specially sized tire chain. Tire chain in types and sizes other than those permitted by paragraphs (b) (2) and (b) (3) may also be made when individually ordered for delivery by the producer directly to the consumer. This is an exception to paragraphs (b) (2) and (b) (3).

(d) Limits on production—(1) For passenger autos. Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for passenger autos more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941-March 31, 1942.

(2) For commercial vehicles. Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for commercial vehicles more than 24 percent of the total weight of metals used in the production of all tire chain (whether for passenger autos or commercial vehicles) sold by him during the period April 1, 1941-March 31, 1942.

(3) For farm tractors. Between April 1, 1944, and March 31, 1945, a producer must not use in the production of tire chain for farm tractors more than the total weight of metals used in the production of all tire chain for farm tractors sold by him either during the year April 1, 1940-March 31, 1941, or the year April 1, 1941-March 31, 1942, whichever is greater.

(4) Increased production in critical labor areas and requirement for special authorization. Notwithstanding the increase in production permitted by this order, no producer's plant located in a Group I or Group II Labor Shortage Area as classified by the War Manpower Commission shall, during the period April 1, 1944-March 31, 1945, put into process for the production of tire chain under this order a total weight of metals in excess of that legally put into process during the period April 1, 1943-March 31, 1944, unless specific authorization to do so is obtained from the War Production Board. The policy of the War Production Board will be to authorize the using of an increased weight of metals for such production so as to avoid increasing requirements for labor in labor shortage areas. Any producer seeking specific authorization under this para-

graph should file a written statement in triplicate with the War Production Board, Washington, D. C., explaining fully how labor requirements for the requested increase will be met.

(5) Exclusions in determining quota. In determining production quotas under this paragraph (d) sales of tire chain during the base period to or for the account of persons described in paragraph (e) below shall not be included.

(6) Scheduling of tire chain production. Each producer may schedule production of the quantity of tire chain which he is allowed to produce by this paragraph (d) regardless of preference ratings on orders for tire chain or other kinds of chain. An exception to this rule is that production of tire chain under this order shall not be permitted to delay the production and delivery of any order for tire chain or other kinds of chain rated AAA; or to delay the production or delivery more than thirty days beyond the required delivery date of any order for tire or other kinds of chain for delivery to or for the use of the Army, Navy, Maritime Commission, or War Shipping Administration.

(e) Exceptions to applicability of this order. With the exception of the restrictions contained in paragraph (b) (1), the restrictions of this order shall not apply to tire chains sold to or produced under contracts or orders for delivery to or for the account of:

(1) The Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, The Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Selective Service System, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development, Defense Supplies Corporation, Metals Reserve Company, and the Treasury Department under Treasury Procurement Supply (TPS) contract.

(2) The government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom including its dominions, crown colonies and protectorates, and Yugoslavia.

(3) Any agency of the United States Government for delivery to, or for the account of, the government of any country listed above, or any other country, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(f) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board.

(g) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. This appeal should be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications.* All communications concerning this order shall unless otherwise directed be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref.: L-201.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4718; Filed, April 3, 1944;  
11:54 a. m.]

#### PART 3284—BUILDING MATERIALS

[Limitation Order L-78, as Amended  
Apr. 3, 1944]

#### FLUORESCENT LIGHTING FIXTURES

§ 3284.36 General Limitation Order L-78—(a) Definitions. For the purposes of this order:

(1) "Fluorescent lighting fixture" means any equipment employing, or used in connection with an electric light source (but excluding an incandescent light source) in which (i) visible light for illuminating purposes is produced by the passage of electric current through vaporized mercury, or (ii) visible light, for illuminating purposes is produced due to the effects of ultra-violet radiation on substances exposed to such radiation, including, but not limited to the following: (a) a hot cathode fluorescent lighting fixture, (b) a cold cathode fluorescent lighting fixture, (c) a rectified fluorescent lighting fixture, (d) a Cooper-Hewitt type fixture, (e) a Mercury type fixture, and (f) a portable fluorescent lighting fixture known as a mechanic's lamp, and any other portable fluorescent lighting fixture designed for use in conjunction with any industrial machine, tool, assembly bench or other similar factory equipment.

"Fluorescent lighting fixture" does not include any tube, bulb, or replaceable fluorescent starter, or portable lamp, commonly known as bed lamps, floor lamps, wall lamps, table lamps and desk lamps.

(2) "Industrial fluorescent lighting fixture" means a fluorescent lighting fixture which fixture is designed and constructed to illuminate an area of a factory, workshop or similar plant in which area manufacturing, assembling or other industrial functions are performed. For the purpose of this order an office or a drafting room is not an area in which manufacturing, assembling or other industrial functions are performed.

(3) "Non-industrial fluorescent lighting fixture" means any fluorescent lighting fixture other than an industrial fluorescent lighting fixture.

(4) "Maintenance" means the minimum upkeep necessary to the continued and safe operation of any fluorescent lighting fixture.

(5) "Repair" means the restoration of any fluorescent lighting fixture to a sound working condition after wear and tear, damage, destruction or failure of any part has made it unfit or unsafe for service.

(6) "Put in process" means the act by which a person first changes the form of material from that form in which it was received by him.

(7) "Reflector" means that part of a fluorescent lighting fixture which redirects the light emitted from the tube, bulb, tubes or bulbs in such fixture in a desired direction. Reflector does not include a wiring channel, wireway, raceway, or any locknuts, screws, bolts, washers or other devices for the purpose of connecting a reflector to such channel, wireway or raceway.

(8) "Top-housing" means a wiring channel, wireway or raceway specifically designed and constructed to support or hold any of the following component parts of a fluorescent lighting fixture, the ballast, the transformer, sockets, or reflector.

(b) *Restrictions*—(1) *Manufacture.* Notwithstanding any contract or agreement to the contrary, no person shall manufacture or assemble any fluorescent lighting fixture or any component part of any fluorescent lighting fixture, except:

(i) A fluorescent lighting fixture, other than a rectified fluorescent lighting fixture, or any component part of any fluorescent lighting fixture manufactured or assembled from:

(a) Materials which were acquired by him pursuant to orders or contracts bearing a preference rating of A-1-j or better, or bearing any preference rating assigned under the Production Requirements Plan, or Controlled Materials Plan provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M-9-c; and provided further, that until the 1st day of December, 1943 a non-industrial fluorescent lighting fixture may only be manufactured or assembled from such materials upon written authorization from the War Production Board after application made by letter in duplicate; or

(b) Materials which have been put in process to manufacture fluorescent lighting fixtures and which materials were in his possession on April 20, 1942, pursuant to orders placed by him on or before April 2, 1942, provided that copper, copper base alloy or copper products shall be used in accordance with the limitations established by General Conservation Order M-9-c.

(c) Component parts of a fluorescent lighting fixture acquired by him from a person having possession of such component parts on April 20, 1942, pursuant

to an order placed by such person having such physical possession on or before April 2, 1942.

(ii) Any component part of a rectified fluorescent lighting fixture, provided that such part is used for purposes of maintenance and repair and that copper, copper base alloy or copper products used in the manufacture or assembly of such component part shall be in accordance with the limitations established by General Conservation Order M-9-c.

(2) [Revoked Apr. 3, 1944]

(3) On and after the 9th day of February 1943, no person, without specific authorization of the War Production Board, after application made by letter in duplicate, shall put in process any metal to close the end of a reflector or to be used in a shield, louver or baffle of a fluorescent lighting fixture except in the minimum amount required to join, attach or fasten such end, shield, louver or baffle to such fixture. The provisions of this paragraph shall not apply or control the manufacture or assembly of a fluorescent lighting fixture employing a hot or cold cathode tube, bulb, tubes or bulbs, provided such fixture is specifically designed and constructed for use on board ships or in hazardous locations as defined in paragraphs 5005 and 5006 of Article 500 of the National Electrical Code, 1940 Edition, or the manufacture or assembly of a fluorescent lighting fixture designed and constructed for the operation of a 400 watt or a 3000 watt mercury vapor tube, bulb, tubes or bulbs, or the manufacture or assembly of a portable fluorescent lighting fixture of the type set forth in paragraph (a) (1) (ii) (f) of this order.

(4) [Revoked Apr. 3, 1944]

(5) [Revoked Apr. 3, 1944]

(6) On and after the 8th day of September 1943, no person shall put in process without specific written authorization from the War Production Board after application made by letter in duplicate, any metal for the manufacture of a fluorescent lighting fixture designed and constructed for:

(i) One hot cathode tube or bulb rated 30 watts or higher; or

(ii) Four or more hot cathode tubes or bulbs of any wattage arranged in parallel unless the fixture is designed and constructed for four (4) 40 watt hot cathode tubes or bulbs in parallel arrangement; or

(iii) A continuous row of single hot cathode tubes or bulbs of any wattage; or

(iv) Two or more hot cathode tubes or bulbs of any wattage arranged in parallel continuous rows unless the fixture is designed and constructed for two or three continuous parallel rows of 40 watt hot cathode tubes or bulbs or for two parallel continuous rows of 100 watt hot cathode tubes or bulbs.

(7) *Sale and delivery.* Notwithstanding any contract or agreement to the contrary, no person shall sell or deliver any new fluorescent lighting fixture

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(that is any fluorescent lighting fixture which has never been used by an ultimate consumer) or any new component part of any fluorescent lighting fixture, except that:

(i) A person who regularly in the course of his business sells fluorescent lighting fixtures or component parts of fluorescent lighting fixtures, may sell and deliver:

(a) Prior to the 1st day of September 1943 any such fixture or component part to a manufacturer or assembler of fluorescent lighting fixtures, or to any other person who regularly in the course of his business sells fluorescent lighting fixtures or component parts thereof, but only for resale of such fixture, component part or component parts assembled by such other person into a fluorescent lighting fixture; or

(b) Any such fixture to any of the following governmental departments or agencies or to any person buying for the account of such departments or agencies: Maritime Commission, Navy Department, War Department, Metals Reserve Company, War Shipping Administration or any corporation organized under Section 5 (d) of the Reconstruction Finance Corporation Act as amended;

(ii) And any person may:

(a) Sell and deliver, pursuant to an order or contract bearing a preference rating of B-2 or better, a fluorescent lighting fixture, providing such fixture was manufactured on or before June 1, 1942, or was manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (c) of this order.

(b) Sell and deliver a fluorescent lighting fixture manufactured or assembled subsequent to June 1, 1942, pursuant to an order or contract bearing a preference rating of A-1-j or better;

(c) Sell and deliver any component part of any fluorescent lighting fixture, pursuant to an order or contract bearing a preference rating of A-1-j or better, or bearing any preference rating assigned under the Production Requirements Plan.

(d) Sell and deliver a hot cathode fluorescent lighting fixture designed and constructed for the operation of a tube, bulb, tubes or bulbs, no individual tube or bulb to have a rated wattage in excess of 30 watts, which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (c) of this order.

(e) Sell and deliver a cold cathode fluorescent lighting fixture which fixture is manufactured or assembled in accordance with the provisions of paragraph (b) (1) (i) (b) and/or (b) (1) (i) (c) of this order.

(f) Sell and deliver any component part of any fluorescent lighting fixture: *Provided*, That such person is engaged in the business of the manufacture and assembly of fluorescent lighting fixtures, and that the person purchasing or receiving such component part is also engaged in the same business, and any such sale and delivery shall be deemed to be permitted under the provisions of Priorities Regulation No. 13;

(g) Sell and deliver any component part of any fluorescent lighting fixture which is sold or delivered for the purposes of maintenance or repair;

(h) Deliver a fluorescent lighting fixture or any component part of any fluorescent lighting fixture to be used solely for purposes of demonstration or test of such fluorescent lighting fixture or component part thereof; and a person having title to a fluorescent lighting fixture or component part thereof may deliver such fluorescent lighting fixture or component part thereof from one branch, division or section of a single enterprise to another branch, division, or section of such enterprise.

(j) [Revoked August 18, 1943].

(c) *Blanket MRO ratings*. No person may sell or deliver any new fluorescent lighting fixture to fill an order bearing a blanket MRO rating lower than AA-2. A "blanket MRO rating" is defined in Priorities Regulation 3.

(d) *Avoidance of excessive inventories*. No person shall accumulate an inventory of any material (whether raw, semi-processed or processed) for manufacture into any fluorescent lighting fixture in excess of the minimum amount of such material necessary to maintain production of fluorescent lighting fixtures to the extent permitted by this order.

(e) *Records*. All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection*. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports*. Each person to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board shall from time to time request.

(h) *Violations*. Any person who wilfully violates any provision of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(i) *Appeals*. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of appeal.

(j) *Applicability of priorities regulations*. This order as amended and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board as amended from time to time.

(k) *Applicability of other orders*. Insofar as any other order issued by the War Production Board, or to be issued by it hereafter, limits the use of any material to a greater extent than the limits

imposed by this order, the restrictions of such other order shall govern, unless otherwise specified therein.

(l) *Routing of correspondence*. Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Building Materials Branch, Washington 25, D. C., Ref: L-78.

(m) The provisions of this order calling for application by letter in duplicate (paragraphs (b) (1) (i) (a), (b) (3) and (b) (6)) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4716; Filed, April 3, 1944;  
11:54 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Conservation Order M-361, Direction 2,  
Revocation]

PURCHASES OF SOUTHERN YELLOW PINE  
LUMBER THROUGH WHOLESALERS

Direction 2 to *Order M-361* is revoked. This direction is superseded by paragraph (e)(3) of *Order M-361*.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4727; Filed, April, 3, 1944;  
11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Conservation Order M-361, Direction 5, as  
Amended Apr. 3, 1944]

DELIVERIES OF SOUTHERN YELLOW PINE TO  
PRODUCERS OF STEEL AND OTHER CON-  
TROLLED MATERIALS

The following direction is issued pursuant to Conservation Order M-361.

(a) This direction which is issued in accordance with *Order M-361*, paragraph (g), tells how a person producing controlled materials may get the restricted Southern yellow pine lumber he needs without having to file on Form WPB 2720. A producer of controlled materials may use either the procedure outlined in this direction or file Form WPB-2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted Southern yellow pine lumber for the production of controlled materials, including maintenance or repair of his plant and boxing or crating controlled materials which he produces, must endorse the following certificate on his purchase orders:

All restricted Southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to produce and deliver controlled materials which I have been directed or authorized to produce. Delivery may be made to me under Direction 5 to

Order M-361, with the terms of which I am familiar.

Producer.

By \_\_\_\_\_

Duly authorized official.

(c) Any producer may sell, ship, or deliver restricted Southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to produce and deliver controlled materials he is authorized or directed to produce, including maintenance and repair of his plants producing controlled materials and boxing and crating the controlled materials for shipment. No one may use the certificate to get boxes, and no maker of boxes to sell to others can use the certificate to get lumber. "Captive plants" as defined in PR-3, Direction 3 may use the certificate to obtain lumber to make boxes. Lumber obtained under this direction by any person for maintenance and repair may not exceed 10% of the total he gets under the direction.

(d) Manufacturers who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter within thirty days after the end of each calendar quarter stating the entire amount of Southern yellow pine lumber delivered to them during the quarter, whether obtained under this direction or in some other way and stating the percent of all lumber used during the quarter for maintenance and repair of plant. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "controlled materials" means steel, copper, and aluminum, as specified in CMP Regulation 1, paragraph (b) (1) and in the forms and shapes indicated in CMP Regulation 1, Schedule 1.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4728; Filed, April 3, 1944;  
11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Conservation Order M-364, Direction 1 as  
Amended Apr. 3, 1944]

DELIVERIES OF HARDWOOD LUMBER TO FARM  
MACHINERY MANUFACTURERS

The following direction is issued in accordance with Order M-364, paragraph (g):

(a) This direction tells how a manufacturer of farm machinery may get the restricted hardwood lumber he needs for production material without having to file on Form WPB-2720.

(b) A manufacturer of farm machinery must endorse the following certificate on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of farm machinery and equipment. Delivery

may be made to me under Direction 1 to Order M-364, with the terms of which I am familiar.

Purchaser

By \_\_\_\_\_

Duly authorized official

Date \_\_\_\_\_

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to fulfill his authorized schedules for the production of farm machinery, or to get lumber for any use except as production material: for example, no one can get lumber under this direction for boxing and crating his product. The inventory restrictions of paragraph (f) of Order M-364 are waived so long as the above restrictions are complied with.

(d) Manufacturers of farm machinery who get restricted hardwood lumber under this direction shall report by letter, ten days after the end of each quarter, to the War Food Administration, Office of Materials and Facilities, Washington 25, D. C., stating their inventories of restricted hardwood for production material at the beginning of the quarter, the amount delivered to them for production material during the quarter, and the amount used for production material during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Manufacturers of farm machinery do not have to get restricted hardwood lumber under this direction unless they want to. They may get it in any other way that is allowed under M-364. For example, a small manufacturer who buys from a mill producing less than 10,000 board feet a day may prefer not to change his arrangements. Manufacturers who buy from a limited number of sources may prefer to file on WPB-2720.

(f) "Farm machinery" means farm machinery and equipment as defined in Orders L-257 and L-257-a. "Production material" means material for the production of farm machinery.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4730; Filed, April 3, 1944;  
11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Conservation Order M-364, Direction 2,  
Revocation]

PURCHASES OF HARDWOOD LUMBER THROUGH  
WHOLESALEERS

Direction 2 to Order M-364 is revoked. This direction is superseded by paragraph (e) (3) of Order M-364.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4731; Filed, April 3, 1944;  
11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Conservation Order M-364, Direction 3, as  
Amended Apr. 3, 1944]

ASH SPECIALISTS

Direction 3 to Order M-364 is amended to read as follows:

(a) This direction, issued pursuant to paragraph (g) of Order M-364 tells how "ash specialists" may obtain ash lumber, and what rules they must observe in disposing of it.

(b) Any producer may deliver ash lumber to an ash specialist without restriction, just as if he were another producer.

(c) Unless specifically directed, an ash specialist may deliver ash lumber only to fill orders supported by certificates as prescribed in paragraphs (d) (1), (d) (2), and (d) (3) of M-364, or as prescribed in Directions to M-364, and to fill orders approved on Form WPB 2720 as prescribed in paragraph (e) of M-364. In other words, in his deliveries of ash lumber, the ash specialist is subject to the same restrictions as if he were a producer.

(d) For the purposes of this direction an "ash specialist" is a person who operates a concentration yard dealing exclusively in ash lumber.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4732; Filed, April 3, 1944;  
11:56 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS  
[Conservation Order M-364, Direction 5 as  
Amended Apr. 3, 1944]

DELIVERIES OF HARDWOOD LUMBER TO PRODUCERS OF STEEL AND OTHER CONTROLLED MATERIALS

The following direction is issued pursuant to Conservation Order M-364:

(a) This direction, which is issued in accordance with Order M-364 paragraph (g), tells how a person producing controlled materials may get the restricted hardwood lumber he needs without having to file on Form WPB 2720. A producer of controlled materials may use either the procedure outlined in this direction or file Form WPB 2720. It is not necessary for you to use one procedure to the exclusion of the other; that is, either procedure may be used from time to time as is most convenient to you.

(b) Any person who gets restricted hardwood lumber under this direction for the production of controlled materials, including maintenance or repair of his plant and boxing or crating controlled materials which he produces, must endorse the following certificate on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to produce and deliver controlled materials which I have been directed or authorized to produce. Delivery may be made to me under Direction 5 to Order M-364, with the terms of which I am familiar.

Producer.

By \_\_\_\_\_

Duly authorized official.

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bear-

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ing such a certificate. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to enable him to produce and deliver controlled materials he is authorized or directed to produce, including maintenance and repair of his plants producing controlled materials and boxing and crating the controlled materials for shipment. No one may use the certificate to get boxes and no maker of boxes to sell to others can use the certificate to get lumber. "Captive plants" as defined in PR-3, Direction 3 may use the certificate to obtain lumber to make boxes. Lumber obtained under this direction by any person for maintenance and repair may not exceed 10% of the total he gets under this direction.

(d) Manufacturers who get any part of their lumber through the use of the above certification shall report to the Lumber Division, War Production Board, by letter within thirty days after the end of each calendar quarter stating the entire amount of hardwood lumber delivered to them during the quarter, whether obtained under this direction or in some other way and stating the percent of all lumber used during the quarter for maintenance and repair of plant. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) For the purposes of this direction "controlled materials" means steel, copper, and aluminum, as specified in CMP Regulation 1, paragraph (b) (1) and in the forms and shapes indicated in CMP Regulation 1, Schedule 1.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4729; Filed, April 3, 1944;  
11:56 a. m.]

PART 3291—CONSUMERS DURABLE Goods  
[Limitation Order L-30-b, as Amended Apr.  
3, 1944]

ENAMELED WARE

**§ 3291.155 Limitation Order L-30-b—**  
(a) *What this order does.* This order states the rules governing the manufacture of household, cooking and hospital articles made of vitreous-enamelled iron and steel. The kinds and sizes of enamelled ware which may be made are described, including hospital ware which was formerly covered by Schedule I to Order L-214. Quotas are placed on the use of iron and steel. Special provisions are made for military and export orders.

(b) *Definitions.* When used in this order:

(1) "Enamelled ware" means any of the articles listed on Table A when made of vitreous-enamelled iron or steel. It does not include any furniture, electrical or gas appliance or power-driven equipment.

(2) "Preferred orders" means any purchase order or contract for enamelled ware which will be ultimately delivered to the Army or Navy of the United States, the U. S. Maritime Commission or War Shipping Administration.

(3) "Export orders" means any purchase order or contract for enamelled

ware for delivery outside the United States, its territories and possessions.

(4) "Civilian order" means any purchase order or contract other than a preferred order or export order.

(c) *What enamelled ware may be made.* (1) No manufacturer shall produce or assemble any enamelled ware that does not conform to Table A. Exceptions to this rule are stated below.

(2) A manufacturer may complete the following operations on enamelled ware which was otherwise completed by December 31, 1942; making and attaching handles, bails, spouts and ears; welding together fabricated parts; applying a vitreous-enamelled or other coating.

(3) The War Production Board may authorize on Form WPB-1319 (formerly PD-556) enamelled ware not conforming to Table A to fill export orders.

(4) The provisions of Table A do not apply to enamelled ware which is produced to fill preferred orders or for experimental use in a scientific laboratory in connection with the development of enamelled ware standards.

Quota Restrictions

(d) *General.* No manufacturer shall use more iron and steel in making enamelled ware than the amounts stated below. Each manufacturer has a quota for civilian orders and a separate quota for preferred orders and export orders. In each calendar quarter a manufacturer is limited to a percentage of the iron and steel he used in his total production of enamelled ware in the twelve months ending June 30, 1941, the "base period." The gross weight of iron and steel when first put into production, whether in the form of raw materials or as purchased parts, is considered the amount of iron and steel used and to be used in figuring out the quotas. A manufacturer who purchases black shapes and covers them with an enamel coating should include the weight of these black shapes in his "use" of iron and steel, while a manufacturer who fabricates the black shapes should consider the gross weight of the sheets he cuts up as part of his "use" of iron and steel.

(e) *Civilian quotas—(1) General rule.* In his production for civilian orders of all enamelled ware (except roasters), a manufacturer is limited in each calendar quarter to one-fourth of 70% of the iron and steel which he used for all enamelled ware (except roasters) in the base period. No manufacturer may produce during any calendar year more enamelled roasters than 15% of the number he produced in the base period.

(2) *Optional quotas for manufacturers of hospital ware.* Instead of following the general rule any manufacturer may use in any calendar quarter in producing hospital enamelled ware (See Table A) not more than one-fourth of 100% of the iron and steel which he used for that ware in the base period. If he does this, however, his civilian quota for non-hospital ware (except roasters) is reduced to one-fourth of 60% of the iron and steel he used for that ware in the base period. Any manufacturer who chooses this alternative or who later decides to follow the general rule stated in

the preceding paragraph shall notify the War Production Board by January 15, 1944 or before the first day of the quarter in which he intends to do this.

(3) *Division of quota among different articles.* In allocating his iron and steel among the items listed in column (2) of Table A, a manufacturer should use his best efforts to divide his quota of iron and steel among all the articles which he customarily makes in such a way as to meet the essential needs for those articles. If it is found that an undue shortage exists in certain articles or that production is being concentrated too much on other articles, the War Production Board may issue written instructions to any manufacturer directing him to allocate a specified share of his production to articles which are considered most essential. Failure to comply with a specific direction shall be deemed a violation of this order.

(f) *Quotas for preferred orders and for export.* In addition to his civilian quota, a manufacturer may use during any quarter in producing enamelled ware to fill preferred orders and export orders not more than one-fourth of 55% of the iron and steel which he used in the base period for all enamelled ware.

(g) *Unused quotas.* A manufacturer may use for civilian orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's civilian quota. A manufacturer may also use to fill preferred orders and export orders during any calendar quarter, in addition to his quota for that quarter, any unused balance of his previous quarter's quota for such orders.

(h) *Special permission to exceed quotas.* The War Production Board from time to time may permit manufacturers to exceed their quotas. This will only be done in special cases and for limited periods of time. For example, if one or more manufacturers are unable to use their full quota in any quarter, other manufacturers may be permitted to use the unused amount in addition to their own quotas. Similarly, if additional iron or steel becomes available at any time, the War Production Board may authorize its use in addition to the quotas. As far as practicable increases will be permitted for all manufacturers of the articles to be made in proportion to their quotas. Permission will be granted either in the form of individual letters or of published directions supplementary to this order.

Miscellaneous Provisions

(i) *Overruns, rejects and cancellations.* Enamelled ware made to fill a preferred order, which, because of overruns, rejects, cancellations of orders or any other reasons cannot be used to fill that order, may be used or disposed of only as allowed in § 944.11, paragraph (b) of Priorities Regulation No. 1.

(j) *Reports.* (1) [Deleted Apr. 3, 1944]

(2) Each manufacturer shall file with the War Production Board on or before January 20, April 20, July 20, and October 20 of each year, a report on Form WPB-1600 (formerly PD-655), showing



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(14) "Period Four" means June 1, 1944, through March 31, 1945.

(15) "Period Five" means April 1, 1945, through May 31, 1945.

(b) *Restrictions on deliveries and use.*

(1) On and after April 1, 1943 no supplier shall deliver potash to any person, and no person shall accept delivery of potash from a supplier except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to quantities of potash which may be received in any period will be issued by the War Production Board as soon as possible after the receipt of the applications called for by paragraph (e) (1) hereof. Thereafter, after persons so authorized to receive potash have placed with producers or distributors their orders for potash within the totals provided in such authorizations and such producers and distributors have made application pursuant to paragraph (e) (3) to make delivery to such persons, the War Production Board will issue to each producer or distributor authorizations with respect to deliveries to be made. The War Production Board may, however, at any time, at its discretion, and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of potash to be delivered or then on hand. Insofar as authorizations or directions relate to the quantities of particular grades of mixed fertilizer to be manufactured from potash or to the quantity of potash to be made available for direct application to the soil, such authorizations or directions will so far as practicable be issued in conformity with needs for grades of mixed fertilizer or for potash as determined by the Director of Food Production of the Department of Agriculture.

(3) Each person specifically authorized to accept delivery of potash shall use such material for the purpose authorized and only for such purpose except as otherwise specifically directed by the War Production Board.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the War Production Board shall not be required for:

(1) Acceptance of delivery by any person from all sources in any period of not more than 5 tons of potash for each month of such period, in terms of K<sub>2</sub>O content;

(2) Delivery by any supplier in any period to any person who shall have furnished to such supplier a certificate in substantially the following form:

The undersigned hereby certifies that the potash hereby ordered to be delivered in Period \_\_\_\_\_ [Insert Three, Four or Five] does not, taken with all other potash delivered or to be delivered from all sources in such period, exceed 5 tons for each month of such period, in terms of K<sub>2</sub>O content.

Name of purchaser

By \_\_\_\_\_

Authorized official

Title \_\_\_\_\_

Date \_\_\_\_\_

The above certificate shall constitute a representation to (but shall not be filed with) the War Production Board. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of such potash by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate;

(3) Delivery by any supplier to any person in any period prior to the receipt of any specific authorization or direction of the War Production Board with respect to deliveries to be made in such period of not more than 20% of the quantity of any potash salt delivered by such supplier to such person during the corresponding period in the 12 months ending March 31, 1944. Any person delivering or receiving potash delivered in any period pursuant to this paragraph (c) (3) shall charge the amount so delivered or received against the amount which he is or may be specifically authorized or directed to deliver or receive in such period, and against any amount which may be delivered or received pursuant to paragraphs (c) (1) and (c) (2);

(4) [Revoked Apr. 3, 1944]

(5) [Revoked Apr. 3, 1944]

(d) *Transportation and storage directions.* For the purpose of conserving transportation and storage facilities, the War Production Board may issue directions to any person respecting deliveries or storage of potash which may or may not be made, and respecting form of transportation and shipping routes.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of potash in any period, whether for own consumption or resale, shall file application therefor on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-291, the fourth to be retained for applicant's files.

(iii) The date when such applications shall be filed with the War Production Board will be as follows:

(a) Where the application is for authorization to accept delivery of potash in Period Four: on or before April 7, 1944.

(b) Where the application is for authorization to accept delivery of potash in Period Five: on or before January 15, 1945.

(c) [Revoked Apr. 3, 1944]

(iv) In the heading, under "name of chemical", specify "Potash"; under "WPB Order No.", specify "M-291"; under heading "Indicate Unit of Measure", specify "Short Tons of Potash Salt" (not K<sub>2</sub>O content). Do not specify supplier.

(v) In heading at top of Table I, specify "Period \_\_\_\_\_" [Four or Five], not month.

(vi) In Columns 1 and 11, specify particular potash salt as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia, run-of-mine potash, and also indicate in each case per cent of K<sub>2</sub>O content.

(vii) In Column 2 indicate quantity in short tons of each salt requested (not K<sub>2</sub>O content).

(viii) In Column 3, applicant will specify his primary product in terms of the following:

Fertilizers

Potassium bitartrate

Potassium carbonate

Potassium chlorate

Potassium cyanide

Potassium hydroxide

Potassium nitrate

Potassium perchlorate

Potassium permanganate

Potassium phosphates

Other chemical (specify)

Resale (as potash) subject to further authorization.

(ix) In Column 4 applicant will specify ultimate use of product (where, for example, the primary product called for in Column 3 is "Potassium carbonate" the ultimate use of product might be "optical glass"), and will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer. Where the Form WPB-2945 (formerly PD-600) is an application for potash for resale (as potash) pursuant to further authorization, applicant will leave Column 4 blank. Where primary product called for in Column 3 is potassium chlorate or potassium perchlorate, specify "Order M-171" in Column 4 and omit further statement of use.

(x) Leave blank Columns 13 to 15c, inclusive.

(xi) [Revoked Apr. 3, 1944]

(xii) Leave blank Tables II, III, IV and V in their entirety.

(2) [Revoked Apr. 3, 1944]

(3) Each supplier seeking authorization to make delivery of potash during any period shall file application therefor on Form WPB-2946 (formerly PD-601) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-291, the fourth to be retained for supplier's files.

(iii) The date when such application shall be filed with the War Production Board will be as follows:

(a) Where the application relates to Period One: on or before April 7, 1943.

(b) Where the application relates to Period Two: on or before July 7, 1943.

(c) Where the application relates to Period Three: on or before April 7, 1944.

(iv) In the heading, under "name of chemical", specify "Potash"; under "WPB Order No.", specify "M-291"; in heading "This schedule is for deliveries to be made during the month of \_\_\_\_\_", substitute the word "period" for word "month", and indicate "Four or Five," as the case may be; under heading "Indicate unit of measure", specify short tons of potash salt (not K<sub>2</sub>O content).

(v) In Column 1 indicate the name of each customer to whom supplier proposes to make delivery of potash in the period to which application relates. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list the names of customers to whom, in such period, applicant proposes to make small order deliveries pursuant to paragraph (c) (1) and (c) (2) hereof, but applicant must specify in Column 1 "Total small order deliveries (estimated)" and in Column 4 must state the estimated quantity.

(vi) In Column 3 specify particular potash salt which applicant proposes to deliver as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash, and in each case, the per cent of K<sub>2</sub>O content.

(vii) Leave blank Columns 5 to 16, inclusive, except for any remarks considered pertinent, which may be listed in Column 7.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Form WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601).

(f) *Miscellaneous provisions*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers.* Producers shall as soon as practicable notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of potash shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Chemicals Bureau, Washington 25, D. C. Ref.: M-291.

**NOTE:** The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4725; Filed, April 3, 1944;  
11:55 a. m.]

No. 67—6

#### PART 3296—SAFETY AND TECHNICAL EQUIPMENT

[General Limitation Order L-266, as Amended  
Apr. 3, 1944]

##### STERILIZER EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply for defense, for private account and for export of the materials entering into the manufacture of sterilizer equipment; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3296.91 General Limitation Order L-266—(a) *Definitions.* For the purposes of this order:

(1) "Sterilizer equipment" means the following types of sterilizers, as each is hereinafter defined, and includes heating elements when such elements are an integral part of such sterilizers: Pressure sterilizers, bulk pressure sterilizers, pressure water sterilizers, non-pressure water sterilizers, non-pressure instrument sterilizers, non-pressure utensil sterilizers, baby bottle pasteurizers and sterilizers, bedpan steamers, boiling type bedpan sterilizers, laboratory pressure sterilizers, bedpan washers and field sterilizers. The term shall not include used or rebuilt sterilizer equipment, nor any parts or materials for the repair or maintenance of existing sterilizer equipment, nor shall it include any pressure cooker designed for processing foods.

(2) "Pressure sterilizer" means a sterilizer having a volumetric capacity of less than 40,000 cubic inches which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms.

(3) "Bulk pressure sterilizer" means a sterilizer having a volumetric capacity of 40,000 cubic inches or more which is designed to utilize steam under pressure in order to free articles from living pathogenic microorganisms. It may or may not include attachments for fumigating purposes.

(4) "Pressure water sterilizer" means a sterilizer which is designed to heat water to a temperature higher than 212° F. in order to free it from living pathogenic microorganisms.

(5) "Non-pressure water sterilizer" means a sterilizer which is designed to free water from living pathogenic microorganisms by means of boiling.

(6) "Non-pressure instrument sterilizer" means a sterilizer which is designed to free surgical, medical and dental instruments and similar articles from living pathogenic microorganisms by subjecting them to a boiling liquid. The term shall not include any such sterilizer which contains metal in no part other than the heating element, lid and essential hardware.

(7) "Non-pressure utensil sterilizer" means a sterilizer which is designed to free hospital or medical utensils and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(8) "Baby bottle pasteurizer and sterilizer" means equipment designed to

free baby bottles from living pathogenic microorganisms and to pasteurize baby milk formulas. The term shall not include any such equipment having a capacity of twelve bottles or less.

(9) "Bedpan steamer" means a sterilizer designed to free bedpans, urinals and similar articles from living pathogenic microorganisms by subjecting them to live steam.

(10) "Boiling type bedpan sterilizer" means a sterilizer designed to free bedpans, urinals and similar articles from living pathogenic microorganisms by subjecting them to boiling water.

(11) "Laboratory pressure sterilizer" means a sterilizer which is designed to free articles from living pathogenic microorganisms by utilizing steam under pressure and which is specially designed for use in a laboratory.

(12) "Bedpan washer" means apparatus designed to wash (and, in some cases, to sterilize) bedpans, urinals, and similar articles, and which may or may not be equipped with flushing mechanism.

(13) "Field sterilizer" means any sterilizer which is designed for use in the field and which is manufactured for delivery to or for the account of (i) the Army or Navy of the United States, or (ii) any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(14) "Manufacturer" means any person engaged in the manufacturing, fabricating or assembling of sterilizer equipment.

(15) "Distributor" means any person who purchases sterilizer equipment solely for the purpose of resale without further fabrication.

(b) *Restrictions on the manufacture of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (b), no manufacturer shall manufacture or continue the manufacture of any sterilizer equipment other than the permitted sizes of the permitted types set forth in Schedule A attached to this order.

(2) Any sterilizer equipment which was in the process of fabrication on February 24, 1943, and which cannot be completely fabricated within the restrictions of Schedule A, attached to this order, may be further fabricated after said date only to the extent specifically authorized by the War Production Board. Any manufacturer requesting such specific authorization shall file a statement in duplicate with the War Production Board setting forth in detail the number of units of each type in process of fabrication on February 24, 1943, the extent of the fabrication, the amount of materials required to complete fabrication, the reasons why such units cannot be converted to the permitted types and sizes set forth in Schedule A, and any other facts supporting the request for specific authorization.

(c) *Restrictions on the use of copper and copper base alloys in the manufacture of non-pressure instrument steri-*

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lizers. No manufacturer shall incorporate any copper or copper base alloy in the manufacture of any non-pressure instrument sterilizer, except as follows:

(1) Brass castings (containing not more than 74% copper or 2% tin) may be used in any part;

(2) Copper or copper base alloy may be used in electrical circuits and drain-cocks;

(3) Copper base alloy sheet may be used in non-pressure instrument sterilizers which are 20 in. in length by 10 in. in width by 9 in. in depth or larger in size; and

(4) Copper or copper base alloy may be used in trays and tray-lifting devices.

(d) *Restrictions on the sale and delivery of sterilizer equipment.* (1) Except as provided in subparagraph (2) of this paragraph (d), no person shall sell or deliver any sterilizer equipment, except to or for the account of:

(i) The Army or Navy of the United States;

(ii) Any agency of the United States Government for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act);

(iii) Any person to whom an export license covering the specific equipment has been issued by the Foreign Economic Administration: *Provided, however,* That delivery shall not be made to any person holding an export license which was issued prior to February 24, 1943, unless such export license has been revalidated by the Foreign Economic Administration after said date;

(iv) Any distributor; or

(v) Any other person who has filed Form WPB-1319 and has been specifically authorized on such form by the War Production Board to receive the specific sterilizer equipment and has furnished to his supplier one copy of such form signed in the name of the War Production Board. (As a general rule, authority to receive sterilizer equipment will be granted only in cases where the equipment will receive general use and where essentiality is clearly established.)

(2) The restrictions set forth in subparagraph (1) of this paragraph (d) shall not apply to the sale or delivery of the following sterilizers, but production and shipping schedules of such sterilizers shall be listed on Form WPB-2232 (formerly Form PD-774) in accordance with the provisions of paragraph (f) of this order:

(i) Non-pressure instrument sterilizers which are not more than 16" in length by 6" in width by 4" in depth (with a permitted variation of 10 per cent from the specified dimensions) in size; or

(ii) Laboratory pressure sterilizers which are sold or delivered as "laboratory equipment" in accordance with the provisions of Limitation Order L-144.

(3) No person shall purchase or accept delivery of any sterilizer equipment if he knows or has reason to believe that the delivery of such sterilizer equipment is prohibited by the terms of this order.

(e) *Applications on Form WPB-1319.* Each person seeking authorization, as permitted by paragraph (d) (1) (v) of this order, to receive sterilizer equipment shall prepare Form WPB-1319 in accordance with the current instructions for such form. (Form WPB-1319 and instructions may be obtained at the local field offices of the War Production Board).

(f) *Production and shipping schedules and restrictions thereon.* (1) On or before the 15th day of July, 1943, and on or before the 5th day of each succeeding calendar month, each manufacturer of sterilizer equipment shall file with the War Production Board in triplicate on Form WPB 2232 (Formerly Form PD-774), his proposed production and shipping schedules of sterilizer equipment for the period required by such form. Upon receipt of such form, the War Production Board will approve the proposed production and shipping schedules or make such changes therein as it shall deem necessary, and will thereupon return to the manufacturer a copy of such form as approved or changed.

(2) In addition to the restrictions contained in paragraphs (b), (c) and (d) of this order, each manufacturer shall produce and ship sterilizer equipment in accordance with his production and shipping schedule as approved or changed by the War Production Board, regardless of any preference rating which any order may bear or any order or regulation of the War Production Board.

(g) *Other allocation action.* With respect to sterilizer equipment, the War Production Board may, notwithstanding any other order, preference rating, or regulation of the War Production Board:

(1) Direct the return or cancellation of any unfilled order on the books of a manufacturer; or

(2) Cancel orders placed with one manufacturer and direct that they be placed with another manufacturer.

(h) *Reports.* The reporting requirements in this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. All persons affected by this order shall also file such other reports as may be required from time to time by the War Production Board, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(k) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(l) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(m) *Correspondence.* Reports to be filed and other communications concerning this order shall be addressed to the War Production Board, Safety and Technical Equipment Division, Washington 25, D. C., Ref: L-266.

Issued this 3d day of April 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A

Permitted types	Permitted sizes <sup>1</sup>
Pressure sterilizer (cylindrical).	8" diameter by 16" Length 16" diameter by 24" Length 20" diameter by 28" Length 20" diameter by 36" Length 30" diameter by 54" Length
Pressure sterilizer (rectangular).	Any sizes with a capacity between 20,000 and 40,000 cubic inches
Pressure water sterilizer (single tank or pairs).	8 gallon capacity per tank 15 gallon capacity per tank 25 gallon capacity per tank
Non-pressure instrument sterilizer.	13" length by 5" width by 3½" depth 16" length by 6" width by 4" depth 20" length by 10" width by 9" depth 22" length by 12" width by 10" depth
Non-pressure utensil sterilizer.	24" length by 16" width by 16" depth 24" length by 20" width by 20" depth
Baby bottle pasteurizer (36 bottles).	22" length by 12" width by 10" depth
Horizontal laboratory pressure sterilizer (cylindrical).	16" diameter by 24" length 20" diameter by 28" (single pressure wall or double pressure wall) length
Vertical laboratory pressure sterilizer (cylindrical).	11" diameter by 24" length 14" diameter by 26" length
Bedpan steamer.	24" length by 16" width by 16" depth
Boiling type bedpan sterilizer.	24" length by 16" width by 16" depth
Bulk pressure sterilizer.	No restriction
Field sterilizer.	No restriction
Bedpan washer.	No restriction

[F. R. Doc. 44-4717; Filed, April 3, 1944;  
11:54 a. m.]

<sup>1</sup>A variation of not more than 10 per cent in the specified dimensions and capacities will be permitted.

**Chapter XI—Office of Price Administration****PART 1305—ADMINISTRATION**[Gen. RO 5,<sup>1</sup> Amdt. 56]**FOOD RATIONING FOR INSTITUTIONAL USERS**

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

General Ration Order 5 is amended in the following respect:

Section 7.3 (f) and the definition of "dollar revenue" in section 22.1 are amended by changing the parenthetical sentence in each to read as follows: "(However, if the combined charge covers entertainment and admission taxes, only that part of the charge which covers entertainment is included in dollar revenue.)"

This amendment shall become effective April 1, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2865, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471 respectively)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.[F. R. Doc. 44-4637; Filed, April 1, 1944;  
11:46 a. m.]

prices fixed by existing contracts, or commitments, or standing offers."

This amendment shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,  
Acting Administrator.[F. R. Doc. 44-4605; Filed, March 31, 1944;  
4:59 p. m.]**PART 1316—COTTON TEXTILES**

[MPR 11, Amdt. 15]

**FINE COTTON GOODS**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1316.4 Table II is amended to read as follows:

**TABLE II**

The following provisions shall apply to unfinished box-loom clip-spot marquissettes.

As used herein, the term "standard" means having a width of 35 $\frac{1}{2}$ ", 39 $\frac{1}{2}$ ", 46", or 48" and a total count per inch of 37 to 48 sley and 14 to 34 picks (including roving), inclusive. The term "base construction" means 39 $\frac{1}{2}$ " 40 x 18, 40s or 50s combed warp, 40s or 50s combed filling, 2 picks of 6.00 hank grey roving, 10 jumpers and/or 15 harnesses or less.

The base maximum price for standard unfinished box-loom clip-spot marquissettes shall be 10.00 cents per yard. For any standard construction other than the base construction the maximum price shall be the base maximum price adjusted upward or downward by the following per yard differentials.

**A. WIDTH DIFFERENTIALS**

35", deduct	\$0.0068
46", add	.0098
48", add	.0203

**B. WARP DIFFERENTIALS—GROUND**

	35"	39 $\frac{1}{2}$ "	46"	48"
40s or 50s combed, where ground ends are more or less than 40 per inch:				
Grey, add or subtract for each two ends per inch.....	\$0.0016	\$0.0018	\$0.0021	\$0.0022
Pastel colors, add per end per inch.....	.00041	.00047	.00054	.00057
Empire colors, add per end per inch.....	.00054	.00062	.00072	.00075
40s or 50s carded, subtract from combed for two ends per inch.....	.00016	.00018	.00020	.00021

**C. FILLING DIFFERENTIALS**

	35"	39 $\frac{1}{2}$ "	46"	48"
1. Ground:				
40s or 50s combed, where ground picks are more or less than 18 per inch:				
Grey, add or subtract for two picks per inch.....	\$0.0040	\$0.0042	\$0.0045	\$0.0053
Pastel colors, add per pick per inch.....	.00047	.00053	.00062	.00065
Empire colors, add per pick per inch.....	.00061	.00069	.00080	.00084
40s or 50s carded subtract from combed for one pick per inch.....	.000679	.000089	.000164	.000108
2. Roving, subtract.....	.0094	.0104	.0118	.0130
and add per pick per inch:				
Grey:				
4 hank.....	.0061	.0067	.0076	.0082
6 hank.....	.0047	.0052	.0059	.0065
8 hank.....	.0039	.0042	.0047	.0052
10 hank.....	.0034	.0038	.0041	.0046
12 hank.....	.0032	.0034	.0038	.0043
Pastel:				
4 hank.....	.0100	.0111	.0127	.0136
6 hank.....	.0070	.0078	.0089	.0096
8 hank.....	.0057	.0062	.0071	.0078
10 hank.....	.0049	.0053	.0060	.0066
12 hank.....	.0044	.0047	.0052	.0059
Empire:				
4 hank.....	.0111	.0123	.0141	.0150
6 hank.....	.0077	.0086	.0098	.0105
8 hank.....	.0062	.0068	.0078	.0086
10 hank.....	.0053	.0058	.0066	.0072
12 hank.....	.0047	.0052	.0057	.0064

**D. PATTERN DIFFERENTIALS**

	35"	39 $\frac{1}{2}$ "	46"	48"
Over 10 jumpers and/or 15 harness:				
Per yard per pick 2 shuttles.....	\$0.000138	\$0.000138	\$0.000170	\$0.000170
Per yard per pick 3 and 4 shuttles.....	.000170	.000170	.000213	.000213

20/2 Carded cords (other than selvage) add per end:

Grey.....	\$0.000062
Pastel colors.....	.000102
Empire colors.....	.000118

Add widths per yard.....

E. LOOP CUTTING \$0.0043

F. PRODUCTION DIFFERENTIAL After applying all necessary differentials add or subtract for each pick over or under an over-all count of 20 picks..... \$0.0003

\*Copies may be obtained from the Office of Price Administration.  
^8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2287, 2252, 2476, 2789.  
^8 F.R. 16115, 16198, 16204, 16297; 9 F.R. 220, 392, 343, 402, 450, 538, 574, 682, 792, 1317, 1571, 1572, 1717, 2088, 2135.

## FEDERAL REGISTER, Tuesday, April 4, 1944

This amendment shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4638; Filed, April 1, 1944;  
11:48 a. m.]

## PART 1340—FUEL

[MPR 120, Amdt. 93]

BITUMINOUS COAL DELIVERED FROM MINE OR  
PREPARATION PLANT

## Correction

In F.R. Doc. 44-3869, appearing at page 3035 of the issue for Tuesday, March 21, 1944, in the table on page 3036 the price classifications for mine index No. 45 under the columns headed 7, 8 and 9 should read G, E, and C. The price classifications for mine index No. 169 under the columns headed 5 and 15, 16, 17 should read H and D. The subdistrict number for mine index No. 483 should be 8.

PART 1364—FRESH, CURED AND CANNED  
MEAT AND FISH PRODUCTS

[MPR 418,<sup>1</sup> Amdt. 29]

## HALIBUT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 418 is amended in the following respects:

1. Section 7 (e) is added to read as follows:

(e) *Special rules affecting halibut.* The table price, appropriate with respect to the type of sale, the style of dressing and the point of landing, plus the transportation allowance in this section shall not exceed whichever of the following three is lowest: (1) The appropriate table price for halibut which was landed on the Pacific Coast of Continental United States, plus the rail rate from Seattle to the seller's receiving point for the type of shipment used; (2) The appropriate table price for halibut which was landed on the Pacific Coast of Canada, plus the rail rate from Prince Rupert to the seller's receiving point for the type of shipment used; (3) The appropriate table price plus the transportation allowance as fixed in section 7 (a) or (7) (c), whichever is applicable.

2. Section 8 (c) is added to read as follows:

(c) *Halibut.* No person shall buy halibut landed on the Pacific Coast of Canada, which halibut is intended for

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 9366, 10086, 10512, 10939, 11734, 11687, 12468, 12233, 12688, 13297, 13382, 13302, 14049, 14475, 14616, 15257, 15430, 16131, 16293, 16296; 9 F.R. 90, 1325, 1532, 1575, 2133, 2408.

transshipment in bond into the United States, at a price higher than the applicable table price as fixed by footnote 38 or 39. No producer shall sell any halibut on the Pacific Coast of Canada from a vessel of the United States, which halibut is intended for transshipment in bond to the United States, at a price higher than the applicable Table A price as fixed by footnote 38.

3. In section 20, Table A, the reference to footnote 3 is eliminated from the name of Schedule No. 23 and footnote 38 is added thereto.

4. Footnote 38 is added at the end of Table A in section 20 to read as follows:

<sup>2</sup> When landed in the following Alaskan ports, deduct the following amounts: Ketchikan, 3½ cents; Wrangell and Petersburg, 3¾ cents; Juneau, Sitka and Pelican City, 4 cents; Port Williams, 4½ cents.

When landed in any other port in Alaska, deduct the amount specified for the nearest port listed. Deduct 2½ cents in American currency for sales of halibut landed on the Pacific Coast of Canada.

For sales of dressed halibut landed on the Atlantic Coast of Continental United States add 2 cents.

For sales of round halibut deduct 5½ cents from the appropriate dressed price.

For sales of drawn halibut deduct 8 cents from the appropriate dressed price.

5. In section 20, Table B, the reference to footnote 39 is added to the name of Schedule No. 23.

6. Footnote 39 is added at the end of Table B in section 20 to read as follows:

<sup>3</sup> Deduct the following amounts for sales of steaks processed from halibut landed in the following Alaskan ports: Ketchikan, 4½ cents; Wrangell and Petersburg, 5 cents; Juneau, Sitka and Pelican City, 5¼ cents; Port Williams, 6 cents;

For sales of steaks processed from halibut landed in any other port in Alaska, deduct the amount specified for the nearest port listed.

For sales of steaks processed from halibut landed on the Atlantic Coast of Continental United States, add 2¾ cents.

For sales of steaks processed from halibut landed on the Pacific Coast of Canada, deduct 3¼ cents.

This amendment shall become effective April 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4606; Filed, March 31, 1944;  
4:59 p. m.]

## PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,<sup>1</sup> Amdt. 113]

USED PRESSURE VESSELS AND USED ENCLOSED  
ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

<sup>1</sup> 8 F.R. 16132; 9 F.R. 1523, 2082, 2138, 2701.

Section 1390.2 (q) is added to read as follows:

(q) Any tank or vessel which (1) is installed underground at the time of sale and (2) is purchased for use in its present location.

This amendment will become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4639; Filed, April 1, 1944;  
11:48 a. m.]

## PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465,<sup>1</sup> Amdt. 3]

USED PRESSURE VESSELS AND USED ENCLOSED  
ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation 465 is amended in the following respects:

1. Section 2 (g) is added to read as follows:

(g) Any vessel which (1) is installed underground at the time of sale and (2) is purchased for use in its present location.

2. Section 7 (c) (1) (v) is revoked.

3. Section 8 (c) (5) is revoked.

This amendment shall become effective April 7, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4640; Filed, April 1, 1944;  
11:48 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL  
PRODUCTS

[RO 5C, Amdt. 113]

MILEAGE RATIONING: GASOLINE REGULATIONS

## Correction

In F.R. Doc. 44-3635, appearing on page 2909 of the issue for Friday, March 17, 1944, the second sentence of § 1394-7653 (d) should read:

Before issuing a Class A or Basic Class D ration book the Board shall remove coupons from the book according to the following formula:

<sup>1</sup> 8 F.R. 12625, 16170; 9 F.R. 287, 2091, 2692.

PART 1407—RATIONING OF FOOD AND FOOD  
PRODUCTS

[Rev. RO 3,<sup>1</sup> Amdt. 7]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised R. O. 3 is amended in the following respects:

1. Section 1407.69 is revoked.
2. Section 1407.73 is amended to read as follows:

**§ 1407.73 Consumer handicapped by transportation difficulties.** A consumer who, because of transportation difficulties, finds it a hardship to take delivery of sugar at the time, and in the amounts specified in § 1407.243 may apply to the Board for a certificate or ration coupons for 5, 10 or 15 pounds of sugar. The application must be made, in person or by mail, on OPA Form R-315, by the consumer personally, an adult member of his family unit, or an authorized agent. The Board, in its discretion, may grant the application. Before issuing a certificate or ration coupons, however, the Board shall detach from the book of the consumer a "sugar stamp" for each five pounds granted. (Stamps applicable to expired ration periods shall not be detached for this purpose.)

3. Section 1407.74 is amended to read as follows:

**§ 1407.74 Growers of sugarcane and sugar beets.** A consumer who has delivered sugarcane or sugar beets produced by him to a primary distributor for processing into sugar may apply to the Board for a certificate or ration coupons authorizing him to take delivery of sugar in an amount not in excess of 25 pounds for himself and 25 pounds for each member of his family unit. (Application shall be made for 5, 10, 15, 20 or 25 pounds.) The application must be made on OPA Form R-315 by the consumer personally, an adult member of his family unit, or an authorized agent. The Board, in a proper case, shall grant the application. At the time of granting the application, the Board shall detach from the Book of the consumer, and from the Book of each member of his family unit for which application is made, a "sugar stamp" for each 5 pounds of sugar granted to such person. (Stamps applicable to expired ration periods shall not be detached for this purpose.)

4. Section 1407.74a is added to read as follows:

**§ 1407.74a Sugarcane and sugar beet growers may get sugar without giving up evidences.** (a) A consumer who produces sugarcane or sugar beets and delivers them to a primary distributor for processing into sugar may, without giving up ration evidences, acquire from the primary distributor, for himself and the members of his family unit, an amount

of sugar not in excess of the smaller of the following:

- (1) 25 pounds for each member of his family unit; or

(2) 25 pounds for each acre of sugarcane or sugar beets grown on a farm where he resides more than six months a year and harvested from the "1944 crop". However, if, at the time of harvest, more than one consumer eligible under this section is entitled to a share of that crop, the per acre allowance for such consumer may be no greater than the proportion of 25 pounds that his share of the crop bears to the total shares of all eligible consumers. (For example, if two share-cropping tenants, both living on a farm on which sugar beets are produced from the "1944 crop" entitled to 40 percent and 60 percent respectively of the crop, their per acre allowances would be 10 and 15 pounds respectively.)

(b) For a consumer to be eligible to get such sugar, the following conditions must be met:

(1) The sugar must be sugar manufactured tax-free under section 402 (d) of the Sugar Act of 1937.

(2) The sugarcane or sugar beets must have been produced on a farm where he resides more than six months a year.

(3) The sugarcane or sugar beets must have been harvested from the 1944 crop grown on that farm. (As used in this section, the "1944 crop" of sugarcane means sugarcane harvested between October 1, 1944, and September 30, 1945, inclusive, and the "1944 crop" of sugar beets means sugar beets planted for harvest in the calendar year 1944, except that with respect to sugar beets grown in Yuma County, Arizona, in Imperial County, California, and in those parts of the Imperial and Coachella Valleys which are included in Riverside County, California, the "1944 crop" of sugar beets does not include sugar beets planted for harvest in the calendar year 1944 but includes sugar beets planted for harvest in the calendar year 1945.)

(c) A primary distributor may deliver an amount of sugar, not in excess of the amount permitted under paragraph (a) of this section, to an eligible consumer in exchange for a statement signed by him showing:

(1) His name and address and the date;

(2) Facts indicating that he is eligible under paragraph (b) of this section;

(3) The number of acres of sugarcane or sugar beets harvested from the 1944 crop grown on a farm where he resides more than six months a year; (if, at the time of harvest, more than one consumer, eligible under this section is entitled to a share of that crop, the applicant must state the proportion that his share bears to the total shares of all such consumers);

(4) The number of persons in his family unit (including himself);

(5) The amount, if any, he or any member of his family unit has previously obtained under this section. (This amount when added to the amount stated under (6), must not exceed the

total amount which the consumer may obtain under paragraph (a));

(6) The total amount of sugar he wishes to obtain.

The representations made in this statement constitute representations made to the Office of Price Administration.

(d) The primary distributor shall note on the statement delivered to him under paragraph (c) the amount of sugar delivered against the statement and shall retain all such statements at his principal business office until further order by the Office of Price Administration.

(e) Sugar may be obtained under this section only for the personal use of the consumer who obtains it or for the personal use of the members of his family unit. The consumer or the members of his family unit may not sell, transfer, or deliver such sugar to any other person.

5. Section 1407.120 (d) is amended by adding the following sentence at the end thereof: In addition, he shall, when sending such check to the Washington Office, include a statement as to the amount of sugar delivered under § 1407.74a without getting evidences.

This amendment shall become effective April 6, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WFB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005, Food Dir. 8, 8 F.R. 7093)

Issued this 1st day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4641; Filed, April 1, 1944;  
11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD  
PRODUCTS

[Rev. RO 13,<sup>1</sup> Amdt. 20]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Ration Order 13 is amended in the following respects:

1. Section 2.5 (a) is amended by substituting for the last sentence the following:

The statement must contain a specific diagnosis of the applicant's illness or condition, and must show why the applicant must have more processed foods, the amounts and types he needs during the next ten weeks (or a shorter period if the illness is of shorter duration), and the probable duration of the illness.

2. Section 2.5 (b) is amended to read as follows:

\*Copies may be obtained from the Office of Price Administration.  
<sup>1</sup>9 F.R. 1433.

<sup>1</sup>9 F.R. 3, 104, 695, 574, 848, 765, 1393, 1727, 1817, 1903, 2233, 2234, 2240, 2567.

(b) If the diagnosis is diabetes mellitus or active tuberculosis, and if the board finds that the applicant's health depends upon his getting more processed foods, it shall issue to him one or more certificates for the number of points necessary to get the additional processed foods which he needs during the next ten weeks. If the diagnosis is any illness other than diabetes mellitus or active tuberculosis, or if the applicant requests more processed foods during this period than the board is authorized by the Washington Office to grant to him, the board shall send the application to the district office for decision. (However, in emergency cases, if the board finds that the applicant needs additional processed foods, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks.) If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct.

3. Section 2.5 (c) is added to read as follows:

(c) An applicant who requires additional processed foods for a period longer than the ten weeks for which points are granted to him, may apply for additional points (in person or by mail) to the board at the end of the ten-week period. However, the statement certifying the diagnosis of his illness need not be renewed more often than once a year, in cases of diabetes mellitus and active tuberculosis. In cases where the statement certifying the diagnosis of the applicant's condition need not be renewed with each application for additional rations, his application for such additional rations shall be deemed to be a certification that he knows, or has reason to believe, the diagnosis of his condition remains the same as set forth in the written statement attached to his original application. If the applicant changes his residence before the time when he would have to renew the statement certifying the diagnosis of his illness, he may obtain the statement from the board where it is filed and file it with the board for the place where he will live.

This amendment shall become effective April 6, 1944.

**NOTE:** All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4634; Filed, April 1, 1944;  
11:48 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,<sup>1</sup> Amdt. 9 to 2d Rev. Supp. 1]  
PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 14) which is made a part hereof.

This amendment shall become effective at 12:01 a. m., April 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 8 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4642; Filed, April 1, 1944;  
11:46 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,<sup>2</sup> Amdt. 122]

##### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. Section 2.4 (a) is amended by substituting for the last two sentences the following:

The application (on OPA Form R-315) must contain a written statement signed by a person licensed by the laws of the State in which the certification is made to prescribe for human medication all internal drugs which may be prescribed within that State. However, if the consumer is pregnant, a Public Health Nurse employed by a federal, state or community public health agency, may sign such a statement instead. The statement must contain a specific diagnosis of the applicant's illness or condition, and must show why the applicant must have more foods covered by this order, the amounts and types he needs during the next ten weeks (or a shorter period if the illness is of shorter duration), and the probable duration of the illness.

2. Section 2.4 (b) is amended to read as follows:

(b) If the diagnosis is diabetes mellitus, active tuberculosis, chronic nephritis (nephrotic type), cirrhosis of the liver, severe hepatitis, chronic suppurative diseases (this group includes empyema of the chest cavity, osteomy-

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947.

<sup>2</sup>8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 162424, 16797, 16527, 16606, 16739, 16855, 17326; 9 F.R. 106, 220, 403, 104, 677, 692, 849, 105, 1581, 1728, 1818, 1909, 2235, 2240, 2568, 2406.

elitis, extensive suppurative lesions of soft parts, subcutaneous tissues or muscles, and those infections in which there is profuse pus formation), severe burns, gastro-intestinal lesions (including post-operative cases involving operations on the stomach, intestines or colon for ulcers or cancer), or pregnancy, and if the board finds that the applicant's health depends upon his getting more foods covered by this order, it shall issue to him one or more certificates for the number of points necessary to get the additional foods covered by this order which he needs during the next ten weeks. If the diagnosis is any illness other than one of those specified in this paragraph, or if the applicant requests more foods covered by this order than the board is authorized by the Washington Office to grant to him, the board shall send the application to the district office for decision. However, in emergency cases, if the board finds that the applicant needs additional foods covered by this order, it may issue to him one or more certificates to enable him to get those additional foods during the next two weeks. If the district office is unable to pass on the application, it shall send it to the regional office for decision, or take such other action as the regional office may authorize or direct.

3. Section 2.4 (c) is added to read as follows:

(c) An applicant who requires additional foods covered by this order for a period longer than the ten weeks for which points are granted to him, may apply for additional points (in person or by mail) to the board at the end of the ten week period. However, the statement certifying the diagnosis of his illness need not be renewed more often than once a year, in cases of diabetes mellitus, active tuberculosis, chronic nephritis (nephrotic type), cirrhosis of the liver, and severe hepatitis. A statement certifying to the applicant's pregnancy need not be renewed during the term of the pregnancy. In cases where the statement certifying the diagnosis of the applicant's condition need not be renewed with each application for additional rations, his application for such additional rations shall be deemed to be a certification that he knows, or has reason to believe, the diagnosis of his condition remains the same as set forth in the written statement attached to his original application. If the applicant changes his residence before the time when he would have to renew the statement certifying the diagnosis of his illness, he may obtain the statement from the board where it is filed and file it with the board for the place where he will live.

This amendment shall become effective April 6, 1944.

**NOTE:** All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R.

562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of April 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-4636; Filed, April 1, 1944;  
11:47 a. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[R.O. 16,<sup>1</sup> Amdt. 24 to Rev. Supp. 1]

**MEAT, FATS, FISH AND CHEESES**

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (No. 13) (OPA Forms R-1313 and 1611) which are made a part hereof.

This amendment shall become effective at 12:01 a. m., April 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4635; Filed, April 1, 1944;  
11:46 a. m.]

**PART 1436—PLASTICS AND SYNTHETIC RESINS**  
[MPR 519]

**THERMOSETTING PLASTIC LAMINATES**  
*Correction*

In F.R. Doc. 44-3612, appearing at page 2865 of the issue for Thursday, March 16, 1944, the entry in the table of Appendix A paragraph (c) shown in the column headed  $\frac{5}{16}$  and opposite the figure  $1\frac{11}{16}$  should read "3.39."

**PART 1305—ADMINISTRATION**

[Supp. Order 80,<sup>2</sup> Amdt. 1]

**INCREASE IN EXCISE TAXES AFFECTING SALES OF DISTILLED SPIRITS, WINES AND FERMENTED BEVERAGES**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Supplementary Order No. 80 is amended in the following respects:

1. The title of Supplementary Order No. 80 is amended to read as follows: "Increase in United States excise taxes affecting sales of distilled spirits, wines and fermented malt beverages covered by certain regulations."

<sup>1</sup> 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091, 2477, 2553, 2789, 2830.

<sup>2</sup> 9 F.R. 3338.

2. The table in § 1305.112 (a) (5) is corrected by substituting the figures shown below for the items of distilled spirits of the proofs herein listed.

Distilled spirits proof	Contents per bottle							
	1 gal.	$\frac{1}{2}$ gal.	quart	fifth	pint	tenth	$\frac{3}{5}$ pt.	1/10 pt.
94.4.....	\$2.82	\$1.41	\$0.71	\$0.56	\$0.36	\$0.28	\$0.18	\$0.04
90.4.....	2.70	1.35	.68	.54	.34	.27	.17	.03
86.8.....	2.61	1.31	.65	.52	.33	.26	.17	.03
80.6.....	2.43	1.22	.61	.49	.31	.24	.15	.03

3. The table in § 1305.112 (a) (7) is corrected to read as follows:

Champagne, sparkling wines, carbonated wines wine based cordials and liqueurs	Contents per bottle										
	1 gal.	$\frac{1}{2}$ gal.	1 qt.	1 fifth	30 oz.	26 oz.	24 oz.	13 oz.	1 pt.	$\frac{3}{4}$ pt.	$\frac{1}{2}$ gal.
Champagne and sparkling wines.....	\$0.80	\$0.40	\$0.20	\$0.20	\$0.20	\$0.20	\$0.15	\$0.10	\$0.10	\$0.05	\$0.10
Carbonated wines.....	.80	.40	.20	.20	.20	.20	.15	.10	.10	.05	.10
Wine based cordials and liqueurs.....	.80	.40	.20	.20	.20	.20	.15	.10	.10	.05	.10

4. The headnote to §§ 1305.112 and 1305.112 (a) is amended by deleting the words "or by Maximum Price Regulation 373" wherever they appear.

5. Section 1305.112 (b) and (c) is amended by deleting the words "or Maximum Price Regulation 373" wherever they appear.

6. Section 1305.112 (e) is added to read as follows:

(e) *Geographical applicability.* This supplementary order applies in the forty-eight states of the United States, the District of Columbia, and the Territories and Possessions of the United States, except the Territory of Hawaii.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4584; Filed, March 31, 1944;  
11:50 a. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Rev. SR 1,<sup>1</sup> to GMPR, incl. Amdts. 1-53]

**EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION<sup>2</sup>**

Section 4.3 (m) is added by Amendment 53,<sup>3</sup> effective April 7, 1944, so that Revised Supplementary Regulation No. 1 shall read as follows.

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.<sup>4</sup>

§ 1499.26 *Exceptions of commodity transactions from the General Maximum Price Regulation.* Under the authority vested in the Administrator by the Emergency Price Control Act of 1942, as

<sup>1</sup> Copies may be obtained from the Office of Price Administration.

<sup>2</sup> 8 F.R. 4978.

<sup>3</sup> 9 F.R. 1385.

amended, and Executive Order No. 9250, Revised Supplementary Regulation No. 1 (Exceptions of Commodity Transactions from the General Maximum Price Regulation), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1499.26 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

**REVISED SUPPLEMENTARY REGULATION NO. 1—EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION**

**ARTICLE I—EXPLANATORY AND GENERAL PROVISIONS**

**Sec.**

- 1.1 What this regulation covers.
- 1.2 What this regulation does not cover.
- 1.3 Regulations revoked.
- 1.4 Cross-reference to superseded provisions.
- 1.5 Definitions.

**ARTICLE II—EXCEPTION OF SPECIFIC COMMODITIES**

- 2.1 Basis of classification in this article.
- 2.2 Exception granted.
- 2.3 Foods, feeds, and beverages.
- 2.4 Paper and paper products (including publications and other printed matter.)
- 2.5 Chemicals, drugs and paints.
- 2.6 Rubber and rubber products.
- 2.7 Fuel, petroleum products and other oils.
- 2.8 Machinery, tools and equipment.
- 2.9 Metals and minerals.
- 2.10 Forest products, lumber and building materials.
- 2.11 Textiles, leather and apparel.
- 2.12 Miscellaneous.

**ARTICLE III—EXCEPTION OF TRANSACTIONS OF A GENERAL NATURE**

- 3.1 Basis of classification in this article.
- 3.2 Transactions excepted.

**ARTICLE IV—EXCEPTION OF SALES TO GOVERNMENT AGENCIES**

- 4.1 Basis of classification in this article.
- 4.2 Exception of sales to the United States or any of its agencies.

<sup>1</sup> Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

<sup>2</sup> The text which is added by Am. 53 is underscored.

## Sec.

4.3 Exception of sales to the United States or its agencies or to certain foreign governments or their agencies.  
 4.4 Exception of sales pursuant to developmental contracts or subcontracts.  
 4.5 Exception of sales to Metals Reserve Company or its agents.  
 4.6 Exception of sales to specified government agencies.

## ARTICLE V—EXCEPTION OF SALES BY GOVERNMENT AGENCIES

5.1 Basis of classification in this article.  
 5.2 Commodities excepted.

## APPENDIX A—TABLES OF CROSS-REFERENCES

Table I. Former Provisions of the General Maximum Price Regulation.  
 Table II. Former Provisions of Supplementary Regulation No. 1.  
 Table III. Former Provisions of Revised Supplementary Regulation No. 4.  
 Table IV. Provisions of Revised Supplementary Regulation No. 12.

## ARTICLE I—EXPLANATORY AND GENERAL PROVISIONS

**SECTION 1.1** *What this regulation covers.* Exceptions of commodity transactions from the General Maximum Price Regulation are collected in this regulation. It brings together, restates and reclassifies the exceptions of commodity transactions (other than those which have become obsolete) previously contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulation No. 1 (Exceptions for Certain Commodities, Certain Sales and Deliveries, and Certain Services) and Revised Supplementary Regulation No. 4 (Exceptions of Sales to United States Agencies). It incorporates two exceptions which are also stated in Revised Supplementary Regulation No. 12 (Sales and Deliveries of Imported Commodities). This regulation does not, as of the date issued, make any new exception or terminate or otherwise change the operative effect of any of these exceptions but merely consolidates and continues them in effect. Other exceptions of commodity transactions may be added from time to time.

**SEC. 1.2** *What this regulation does not cover.* This regulation being limited to exceptions from the General Maximum Price Regulation, does not incorporate exceptions which are stated in other price regulations. The commodity transactions listed in subsequent articles of this regulation, while excepted from the General Maximum Price Regulation, are of course subject to any other price regulations which apply to them. Services excepted from the General Maximum Price Regulation are not within the scope of this regulation but are collected in Revised Supplementary Regulation No. 11. Those service exceptions formerly contained in Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4 are being transferred to Revised Supplementary Regulation No. 11 simultaneously with issuance of this regulation.

**SEC. 1.3** *Regulations revoked.* Supplementary Regulation No. 1 and Revised Supplementary Regulation No. 4, being superseded by this regulation, are hereby revoked. Supplementary Regulation

No. 7, being obsolete, is also hereby revoked. § 1499.9 of the General Maximum Price Regulation is not being revoked but is being amended simultaneously herewith so as to remove therefrom the exceptions now incorporated herein.

**SEC. 1.4** *Cross-reference to superseded provisions.* Tables are set forth in Appendix A of this regulation, showing the counterpart in this regulation or elsewhere of the exceptions heretofore contained in § 1499.9 of the General Maximum Price Regulation and in Supplementary Regulations Nos. 1, 4 (revised) and 7 and also the exceptions incorporated herein from Revised Supplementary Regulation No. 12. Reference in any price regulation or other document to any such provision shall be deemed reference to its counterpart, if any, in this or any other regulation.

**SEC. 1.5** *Definitions.* Terms used in this regulation shall, unless differently defined herein or unless the context requires a different meaning, have the same meaning as when used in the General Maximum Price Regulation.

## ARTICLE II—EXCEPTION OF SPECIFIC COMMODITIES

**SEC. 2.1** *Basis of classification in this article.* The exceptions stated in this article, classified according to commodity group, are those which are based primarily upon the identity or character of the commodity or class of commodities rather than upon the nature of the transaction or of the parties thereto.

**SEC. 2.2** *Exception granted.* Sales and deliveries of the commodities set forth in subsequent sections of this article are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated.

**SEC. 2.3** *Foods, feeds, and beverages.* The exception stated above in section 2.2 extends to the following:

(a) Green coffee sold in Puerto Rico.  
 (b) Revoked.

[Paragraph (b) revoked by Am. 45, 9 F.R. 797, effective 1-26-44]

(c) Citrus fruit segments or pieces, whether or not hermetically sealed in containers; citrus juices or blends thereof, whether or not hermetically sealed in containers; citrus concentrates, citrus pulp, citrus marmalade base, crushed citrus fruit and shredded, minced, sliced or diced citrus fruit or citrus peel (except candied or sugared peel), whether or not hermetically sealed in containers.

(d) All milk products, including butter, cheese, condensed and evaporated milk, powdered milk, casein, malted milk powder and any other commodity which is processed or manufactured from cow's milk and composed of milk ingredients constituting more than fifty per cent by weight or volume; but this exception shall not extend to fluid milk or cream sold at wholesale or retail, nor to ice cream, nor to ice cream mix for which adjusted maximum prices are established in § 1499.73 (a) (1a) of Supplementary Regulation No. 14. The term "sold at wholesale," as here used, refers to the

sale, by any person, of fluid milk or cream in bottles or paper containers, to any person, including an industrial or commercial user, other than the ultimate consumer.

(e) Sliced and peeled apples.

(f) Dried apple pomace, i. e., the sound dried residue obtained by removing cider from apples.

(g) Bland apple syrup, i. e., the product obtained by removing or neutralizing the malic acid from pure apple juice, and concentrating, after slightly reacidifying, by heating under reduced pressure to the extent that the product meets a minimum test of 40 degrees Baumé.

(h) Eggs and poultry.

(i) Fresh fish and sea food and game.

(j) Leaf tobacco (whether dried or green); stemmed tobacco leaf irrespective of cutting incidental and preliminary to stemming or cigar making; and tobacco stems sold as such.

(k) All nuts.

(l) Linseed oil.

(m) Mixed seeds for house pet birds.  
 (n) Animal and poultry tonics, condiments, medicants and other special foods not used as the entire normal or customary diet for animals or poultry but for necessary special treatment or care.

(o) Ground grain feed, i. e., grains and seeds which are pulverized, cracked, crushed or otherwise milled to prepare the whole grains and seeds for use only as animal feeds.

(p) *Excepted grain products.* (1) The following products when neither further processed nor packaged. The term "packaged," as here used, means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment. The term "ground," as used below in describing these products, means crushed, cracked, rolled, ground, flaked or pulverized; but a product is "ground" and not "further processed" although subjected to processes such as steaming, which are incidental to grinding, as distinguished from other processes not merely incidental to grinding:

(i) The following wheat products: ground wheat, malted wheat.

(ii) The following barley products: pearled barley, ground pearled barley, hulled barley, malted barley, ground barley.

(iii) The following oat products: groats, hulled oats, ground groats, rolled hulled oats (table or feeding), cereal oats, ground oats.

(iv) The following rye products: malted rye, ground rye.

(v) Ground soy beans.

(vi) Ground buckwheat.

(2) All corn products of a dry corn milling process not covered by Maximum Price Regulation 305 or Maximum Price Regulation 401.

(3) Wallpaper paste at least 90 percent composed of the products of the dry milling industry derived from wheat or corn.

(4) Corebinder.

(5) Wild rice.

[Paragraph (p) amended by Am. 10, 8 F.R. 7592, effective 6-10-43; Am. 18, 8 F.R. 9218, effective 7-10-43; Am. 25, 8 F.R. 11738, eff-

fective 8-28-43; and Am. 33, 8 F.R. 14819, effective 11-4-43]

(q) Flour produced from wheat, rye, buckwheat, rice, corn, oats, barley, soy beans, potatoes; combinations of flours produced from these commodities; and bleached, bromated, enriched, phosphated and self-rising flours. "Flour produced from wheat" means:

(1) Any product of the milling of wheat, other than durum wheat, whose ash content is not more than 1/20th of the protein calculated to a moisture-free basis plus .35, except that farina shall not be considered flour produced from wheat;

(2) Any product of the milling of durum wheat whose ash content, calculated to a moisture-free basis, is not more than 1.5%, except that semolina shall not be considered flour produced from wheat;

(3) Whole wheat flour;

(4) Whole durum wheat flour; and

(5) Blends of the foregoing flours produced from wheat.

**NOTE:** In determining whether the ash content of bleached, bromated, enriched, phosphated and self-rising flours complies with the above ash requirements, allowances shall be made for the increase in the ash content resulting from the addition of the bleaching, bromating, enriching, phosphating and self-rising ingredients.

(r) Cake mixes and flour mixes when not packaged. The terms "cake mixes" and "flour mixes" mean combinations of flour or flours with any other ingredients except those used in making bleached, bromated, enriched, phosphated, and self-rising flours. The term "packaged" means packaged for sale at retail, in a container holding three pounds or less, provided such packaging takes place before delivery to the retail establishment.

(s) Flint and granite grit and crushed granite for poultry feeding.

[Paragraph (s) added by Am. 7, 8 F.R. 7261, effective 6-3-43; amended by Am. 29, 8 F.R. 12793, effective 9-23-43]

(t) Artichoke hearts in wine vinegar.

[Paragraph (t) added by Am. 15, 8 F.R. 8754, effective 6-30-43]

(u) Sorghum syrup (sorghum molasses).

[Paragraph (u) added by Am. 35, 8 F.R. 15432, effective 11-15-43]

**SEC. 2.4 Paper and paper products (including publications and other printed matter).** The exception stated above in section 2.2 extends to the following:

(a) Books, magazines, motion pictures, periodicals, newspapers, materials furnished for publication by any press association or feature service, pamphlets, leaflets, sheet music, music rolls, stamp albums, maps, charts, catalogs, directories, programs, house organs, menus, advertising matter printed on paper (except such articles as containers, labels and book matches, the form of which serves a purpose other than that of advertising), time tables, tariffs and price lists: *Provided, however,* That this exception shall not include any commodity listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225.

(b) The commodities listed in Appendix A (§ 1347.475) to Maximum Price Regulation No. 225 when sold or delivered by persons engaged primarily in the business of publishing, printing, typesetting, platemaking, binding, or rendering related services, or any combination thereof, whose total gross sales in 1941 of printed papers and printed paper products and services rendered in connection therewith did not exceed \$20,000.

(c) Seed flax tow, on condition, however, that on or before February 1, 1944, the seller file with the Office of Price Administration in Washington, D. C., a statement showing his highest selling price during March 1942, to each of the persons to whom he made deliveries in that month, and declaring the selling price he intends to charge each purchaser after January 23, 1944, and on the further condition that no prospective price thus reported to the Office of Price Administration may thereafter be changed unless seller shall first have given at least 30 days notice in writing to the Office of Price Administration, Washington, D. C. Nothing in this section 2.4 (c) shall apply to fiber flax tow.

[Paragraph (c) added by Am. 44, 9 F.R. 730, effective 1-24-44]

#### SEC. 2.5 Chemicals, drugs and paints.

The exception stated above in section 2.2 extends to the following:

(a) Hog cholera virus and anti-hog cholera serum (products used in the immunization of swine against hog cholera), manufactured and marketed in compliance with the standards and regulations promulgated by the United States Department of Agriculture, or manufactured in a similar manner and for an identical purpose under license or authority of any State or otherwise and marketed in interstate or foreign commerce or so as directly to burden, obstruct or affect interstate or foreign commerce.

(b) Aviation gasoline and components, synthetic rubber and components, toluene manufactured from petroleum, and agricultural components used in the manufacture of furfural, as set forth below:

[Paragraph (b) amended by Am. 16, 8 F.R. 9025, effective 7-6-43]

(1) Aviation gasoline of 87 octane rating or higher and, to the extent sold or delivered for use in the manufacture thereof, all components of aviation gasoline of 87 octane rating or higher, including but not limited to alkylate, neo-hexane, iso-octane, hydrcodimers, isomate, and hot acid octanes; iso-pentane, iso-butane, normal butane and butylenes; and aromatic hydrocarbons and base stocks or fractions thereof; and catalysts.

[Subparagraph (1) amended by Am. 11, 8 F.R. 7600, effective 6-11-43, and Am. 21, 8 F.R. 10304, effective 7-27-43]

(2) The following to the extent sold or delivered for use in the manufacture of synthetic rubbers: components of synthetic rubbers, including but not limited to butadiene and styrene; all hydrocarbons and petroleum fractions used in

the manufacture of the components of synthetic rubber, including but not limited to ethylene, propylene, butylene, iso-butylene, propane, butane, and isobutane; hydrogen, acetaldehyde, acetylene, vinyl-acetylene, vinyl chloride, vinyl acetate, sebacate esters, phthalate esters, tricresyl phosphate, hydrochloric acid, calcium carbide, ethylene dichloride, dichlorethyl ether, sodium polysulfide, butylene glycol, acrylonitrile, and ethyl-alcohol, and furfural, catalysts, including but not limited to chrome-alumina and magnesia-alumina catalysts, and physical carrier agents for such catalysts, including but not limited to silica gel.

The term "synthetic rubber," as here used, means a material obtained by chemical synthesis, possessing the approximate physical properties of natural rubber, when compared in either the vulcanized or unvulcanized condition, which can be vulcanized with sulphur or other chemicals with the application of heat, and which, when vulcanized, is capable of rapid elastic recovery after being stretched to at least twice its length at temperatures ranging from 0° F. to 150° F. at any humidity.

[Subparagraph (2) amended by Am. 21, 8 F.R. 10304, effective 7-27-43]

(3) Toluene manufactured from petroleum and, to the extent sold or delivered for use in the manufacture of such toluene, base stocks from which such toluene is to be extracted, and selected charging stocks to be processed for the synthesis of such toluene and catalysts.

[Subparagraph (3) amended by Am. 21, 8 F.R. 10304, effective 7-27-43]

(4) Agricultural components of furfural to the extent sold or delivered for use in the manufacture of furfural, including but not limited to oat hulls, cottonseed hulls and cottonseed hull bran.

(c) Volatile ("essential") oils, when sold by the growers (in any of the forty-eight States and the District of Columbia) of the plants from which such oils were distilled. However, maximum prices for the natural oils of peppermint and spearmint are established by Maximum Price Regulation No. 472.

[Paragraph (c) amended by Am. 30, 8 F.R. 13171, effective 9-20-43]

#### (d) Domestic botanical drugs.

**(NOTE:** Sales and deliveries of botanical drugs originating outside of and imported into the continental United States are subject to the Maximum Import Price Regulation.)

[Paragraph (d) as amended by Am. 32, 8 F.R. 14473, effective 10-28-43]

(e) Sales or deliveries by a manufacturer of a chemical or an industrial paint which that manufacturer did not sell during March 1942 or prior thereto, until the total sales of that chemical or industrial paint exceed \$1,000.

"Industrial paint" means a protective coating sold for application to industrial equipment, military equipment, and articles manufactured primarily for resale. The term "industrial paint" does not include protective coatings commonly

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known as "trade sales" or "shelf goods" paints.

[Paragraph (e) added by Am. 9, 8 F.R. 7349, effective 6-5-43; amended by Am. 37, 8 F.R. 16603, effective 12-13-43]

(f) Sales or deliveries by a manufacturer of a chemical which is in the experimental stage of production, on condition, however, that before making any sale of any such chemical which would bring the total sales thereof to a sum in excess of \$1,000 the manufacturer thereof files with the Office of Price Administration at Washington, D. C., a report setting forth the name of the manufacturer, a description of the chemical, the reasons why he considers that it is in an experimental stage of production, the prices he proposes to charge during the experimental stage of production, and the monthly volume of production which he believes would represent commercial production as opposed to the experimental stage of production. If the Office of Price Administration does not by letter disapprove the report within twenty days, sales or deliveries of the chemical shall continue to be excepted from the General Maximum Price Regulation until the volume of production specified in the report as commercial production is reached.

[Paragraph (f) added by Am. 9, 8 F.R. 7349, effective 6-5-43]

**SEC. 2.6 Rubber and rubber products.** The exception stated above in section 2.2 extends to the following:

(a) Synthetic rubber and reclaimed synthetic rubber and their components, as specified above in paragraph (b) (2) of section 2.5.

(b) Balata rubber when sold or delivered by Rubber Reserve Company; and also when delivered by other sellers if delivery is pursuant to a sale which, when made, was excepted from the General Maximum Price Regulation.

(c) Crude rubber, guayule rubber and liquid latex.

**SEC. 2.7 Fuel, petroleum products and other oils.** The exception stated above in section 2.2 extends to the following:

(a) Aviation gasoline of 87 octane rating and higher and its components, as specified above in paragraph (b) (1) of section 2.5.

(b) Toluene manufactured from petroleum, as specified above in paragraph (b) (3) of section 2.5.

(c) Core oils and core washing oils.

(d) Bituminous coal produced in Alaska.

**SEC. 2.8 Machinery, tools and equipment.** The exception stated above in section 2.2 extends to the following:

(a) Machines and parts excluded from Maximum Price Regulation No. 136, as amended, by § 1390.2 thereof, except that machines and parts sold at retail by a person other than the manufacturer thereof and on that account excluded by paragraph (f) of said § 1390.2 shall con-

tinue to be governed by the General Maximum Price Regulation.<sup>5</sup>

(b) Instrument jewel bearings.

(c) Diamond dies smaller than .002 inch in diameter.

(d) Used automobiles.

**SEC. 2.9 Metals and minerals.** The exception stated above in section 2.2 applies to the following:

(a) Scrap metal, as specified below in paragraph (a) of section 2.12.

(b) The following scrap material whether sold to an industrial consumer or other purchaser:

(1) Zinc scrap materials, including but not limited to zinc skimmings, zinc ashes, sal skimmings and flue dust; but some such materials are governed by Revised Price Schedule No. 3.

(2) Lead scrap materials, including but not limited to lead drosses, lead slags, lead ashes and lead sludges; but some such materials are governed by Revised Price Schedule No. 70.

(3) Residues of tin, solder, babbitt and type material, including but not limited to drosses, scruffs, acidy drosses, fumes, sludges and slags.

(4) Antimony residues, slags, skimmings and drosses.

(5) Copper clad steel scrap—i. e., any steel scrap clad or coated with copper or a copper base alloy, including gilding metal clad steel scrap, in which the cladding or coating amounts to 3% or more by weight.

(6) Detinned or tin-coated scrap sold for use in copper precipitation.

[Subparagraph (6) added by Am. 22, 8 F.R. 10759, effective 8-6-43]

(c) Block mica of strategic grades (i. e., block mica of a quality better than "heavy stained," as defined in Conservation Order No. M-101 issued by the War Production Board on March 6, 1942) and fabricated mica produced therefrom.

(d) Fluorspar ores.

(e) Blister copper.

(f) Lead bullion.

(g) Ores and ore concentrates. The term "ores" means any mineral substance in a crude state used chiefly as a commercial source of metal contained therein. The term "ore concentrates" means any ore after the removal of a part of the gangue, or a part of the non-metallic elements, by either a physical or chemical process.

(h) Electrotype plates which are obsolete by reason of the time limitations of War Production Board Order M-99 or which may become obsolete within the definition of War Production Board Order M-99, and backing metal, composed of approximately 94% lead, 3% tin and 3% antimony obtained from these electrotype plates, sold by purchasers of the electrotype plates to the National Lead Company, acting as agent for the Metals Reserve Company.

(i) Brucite when sold to a producer of magnesium metal for use in the production of magnesium metal.

<sup>5</sup> Machinery services as defined in Maximum Price Regulation No. 136, as amended, are excepted from the General Maximum Price Regulation by § 1499.46 (b) (116) of Revised Supplementary Regulation No. 11.

[Paragraph (i) added by Am. 48, 9 F.R. 2138, effective 2-29-44]

(j) Pennsylvania anthracite when sold and delivered for use as a filter medium under the trade name "anthrafil".

[Paragraph (j) added by Am. 49, 9 F.R. 2413, effective 3-6-44]

(k) Analyzed Pennsylvania anthracite sold by the Anthracite Industries, Inc. to testing laboratories for use as a standard test fuel.

[Paragraph (k) added by Am. 52, effective 4-6-44]

**SEC. 2.10 Forest products, lumber and building materials.** The exception stated above in section 2.2 applies to the following:

(a) Bark obtained from hemlock, oak, chestnut and spruce.

(b) The following natural forest products used by florists: ferns, leaves, foliage and boughs.

(c) Stumpage.

[Paragraph (c) amended by Am. 39, 8 F.R. 16797, effective 12-20-43]

(d) Wood and gum for naval stores and gum naval stores.

(e) Saw and veneer mill wood wastes, when sold for use as raw materials in wood distillation, including but not limited to slabs, edgings, veneer log ends and cores, and ground wood: *Provided, however,* That no petitions for increase in maximum prices of the products manufactured from the above raw materials will be granted to the extent that such petitions are based on increases in prices of such raw materials above March, 1942, levels.

(f) Any tree or plant, or part thereof, painted or unpainted, mounted or unmounted, which is used for decorative purposes during the Christmas season.

**SEC. 2.11 Textiles, leather and apparel.** The exception stated above in section 2.2 applies to the following:

(a) Imported silk wastes.

(b) Wool skins (whether domestic or foreign)—i. e., the untanned skins of sheep or lambs, with the wool still on, other than shearlings or wool skins which are sold for use as furs.

(c) Women's fur garments sold by manufacturers and manufacturing-retailers at \$8,000 or more, (exclusive of excise taxes) or purchased by retailers and wholesalers at \$8,000 or more.

[Paragraph (c) added by Am. 46, 9 F.R. 755, effective 1-18-44]

**SEC. 2.12 Miscellaneous.** The exception stated above in section 2.2 applies to the following:

(a) Waste materials, including but not limited to metal, paper, cloth and rubber scrap, sold to a purchaser other than an industrial consumer: *Provided, however,* That for purposes of this exception:

(1) "Industrial consumer" includes a person who cleans and resells cloth scrap for use as wiping rags or waste and any other person who processes any scrap material otherwise than by sorting, cleaning, baling, compressing or reducing in size.

(2) "Waste materials" does not include top pickup paper mill felts or jacket felts, used all-wool sanforizing machine blankets, used all-wool Palmer machine blankets, scrap burlap or scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers, nor cotton mill waste (defined to mean all cotton waste produced in the process of converting raw cotton into yarn and yarn into cloth, except jute bagging removed from cotton bales and except any kind of scrap burlap or bagging), nor fat-bearing and oil-bearing animal waste materials.

[Subparagraph (2) amended by Am. 17, 8 F.R. 9025, effective 7-6-43; and Am. 24, 8 F.R. 11754, effective 8-28-43]

(b) Animals of any kind, whether wild or domestic and whether living or dead, other than those slaughtered for food purposes; but this exception does not extend to pelts, furs, or other parts of animals—as to which see section 3.2 (f), below.

- (c) Manure.
- (d) Garbage.
- (e) Stamps and coins.

(f) *Precious stones and mountings into which precious stones are set.* The term "precious stones" means any ruby, sapphire, emerald, natural pearl or any diamond (other than an industrial diamond) or any semi-precious stone after sale by the cutter, when the cutter has received more than \$100 for the sale of the stone. Synthetic stones and cultured pearls shall not be deemed "precious stones."

[Paragraph (f) amended by Am. 23, 8 F.R. 11572, effective 8-25-43]

- (g) Antiques.
- (h) Knotted oriental rugs.
- (i) Paintings, etchings, sculptures and other objects of art.

(j) Indian and Eskimo handicraft objects which are produced by the manual skill of American Indians, Alaskan Indians or Eskimos.

(k) Securities, including any note, stock, bond, and interest or instrument commonly known as a "security."

(l) Any raw and unprocessed agricultural commodity or greenhouse commodity while it remains in substantially its original state, subject to the following qualifications:

(1) Commodities which are picked, harvested, threshed, ginned, husked, cleaned, dried, baled, boxed, packed, transported and/or refrigerated, without more, remain "raw and unprocessed." But operations such as slaughtering, freezing, canning, preserving, milling, crushing, straining, centrifuging, shelling of nuts, cooking, distilling, and purifying with heat constitute processing for this purpose.

(2) This exception does not extend to any dried fruits or dried berries other than those sold or delivered "in natural condition" by growers to packers; nor to any dried imported agricultural commodities; nor to any forest products, such as lumber, wood naval stores and mineral products, whether processed or unprocessed.

[Subparagraph (2) amended by Am. 6, 8 F.R. 6964, effective 4-22-43]

(3) All natural flowers and floral products, whether fresh or dried and all seeds and bulbs for planting purposes are deemed to be raw and unprocessed agricultural commodities and so are included within this exception.

[Subparagraph (3) amended by Am. 27, 8 F.R. 11951, effective 9-2-43]

- (m) Cattle warts.

[Paragraph (m) added by Am. 1, 8 F.R. 6055, effective 5-14-43]

(n) Domestic hog bristle, whether raw or dressed; *Provided*, That this exemption shall not apply to sales of dressed hog bristle to a manufacturer of brushes.

[Paragraph (n) added by Am. 14, 8 F.R. 8754, 9 F.R. 1531, effective 6-30-43]

- (o) Unginned Spanish moss.

[Paragraph (o) added by Am. 47, 9 F.R. 1531, effective 2-11-44]

### ARTICLE III—EXCEPTION OF TRANSACTIONS OF A GENERAL NATURE

**SEC. 3.1 Basis of classification in this article.** The exceptions stated in this article are those which are based primarily upon the nature of the transaction or the parties thereto (other than government agencies, which are the subject of Articles IV and V) and thus generally affect more than one commodity or class of commodities.<sup>\*</sup>

**SEC. 3.2 Transactions excepted.** The following transactions are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, upon the conditions and to the extent indicated:

(a) Sales and deliveries by a farmer, of commodities grown and processed on his farm, if the total of such sales or deliveries does not exceed \$75 in any one calendar month.

(b) Sales and deliveries by any person, of his used supplies or equipment not acquired or produced by him for the purpose of sale: *Provided*, how-

\* Exceptions from all price control, which necessarily constitute exceptions from the General Maximum Price Regulation but are not incorporated herein, are contained in the following Supplementary Orders: No. 8, Panama Canal Zone; No. 10, Judicial Sales; No. 21, District of Columbia Penal Institutions; No. 22, Sales to Office of Scientific Research and Development; No. 27, Sales by Army and Navy Stores; No. 35, Purchases of Strategic or Critical Materials by Metals Reserve Company; No. 42, Exception of Sales to Government Agencies Pursuant to Secret Contracts or Subcontracts. [Further exceptions from price control are contained in the following Supplementary Orders: No. 45, Exemption From Price Control of Certain Commodities and Services Sold by Railroads Pursuant to the Code of Rules of the Association of American Railroads; No. 54, Exemption of Sales of Commodities Produced and Services Supplied by State of Ohio Penal Institutions; No. 82, Sales to Dealers for Resale, by the War Department, the Department of the Navy, or the Procurement Division of the Treasury Department, of Scrap, Waste and Used Materials.]

ever, That this exception shall not apply to the following:

(1) Sales and deliveries of used tin cans sold or delivered to persons authorized or licensed under paragraph (b) (4) of Supplementary Order No. M-72-a, issued by the Director General for Operations, War Production Board.

(2) Sales and deliveries of top pickup paper mill felts or jacket felts, used all-wool sanforizing machine blankets, used all-wool Palmer machine blankets, scrap burlap, and scrap bagging or bale coverings composed of jute, hemp, istle, sisal or similar fibers.

[Subparagraph (2) amended by Am. 17, 8 F.R. 9025, effective 7-6-43; and Am. 24, 8 F.R. 11754, effective 8-28-43]

(3) Sales and deliveries of used airplanes, powered with a single engine of not more than 500 horsepower.

[Subparagraph (3) added by Am. 41, 9 F.R. 215, effective 1-8-44]

(c) Sales and deliveries by an owner, of his used personal or household effects or other personal property used by him. This exception shall not apply to sales and deliveries of used airplanes, powered with a single engine of not more than 500 horsepower.

[Paragraph (c) amended by Am. 41, 9 F.R. 215, effective 1-8-44]

(d) Sales and deliveries at a bona fide auction of used household or personal effects, except that this exception shall not apply to any sale at auction conducted in, by, or for a retail or wholesale establishment regularly engaged in the business of selling such goods other than by auction.

(e) Sales and deliveries by hotels, restaurants, soda fountains, bars, cafes, caterers, or other similar eating establishments, of meals, servings of food portions customarily served separately or as part of a meal, or beverages mixed or prepared by the seller; but this exception shall not apply to sales of ice cream in cones, dixie cups or similar packages.

(f) Sales and deliveries by a breeder, trapper, or hunter, of pelts, furs, or other parts of wild animals raised by him, or trapped, shot, or killed by him, if the total of such sales or deliveries does not exceed \$75 in any one calendar month.

(g) Sales and deliveries of commodities sold without private profit in the course of any sale, fair, or bazaar conducted for a period of not more than 15 days by any religious, charitable, or philanthropic organization.

(h) Sales and deliveries of damaged commodities by insurance companies, transportation companies, or agents of the United States Government or by any other person engaged in reconditioning and selling damaged commodities received, in direct connection with the adjustment of losses, from insurance companies, transportation companies, or agents of the United States Government: *Provided*, That such other person has registered with and has been approved by the Office of Price Administration as engaged principally and primarily in such business and as one whose

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other activities do not include selling new or second-hand commodities for his own account.

(i) Sales and deliveries by non-profit making agencies for the blind (i. e., institutions operated in the interest of blind persons, the net income of which does not inure in whole or in part to the benefit of the shareholders or individuals) of any commodity on which 75 per cent of the direct labor in man-hours has been performed by the blind. Persons are, for this purpose, considered blind if their visual acuity does not exceed 20/200 in the better eye with correcting lenses or if their visual acuity is greater than 20/200 but they have a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(j) Sales or deliveries of commodities made or produced by the seller at his home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed \$75 in any one calendar month.

[Paragraph (j) amended by Am. 40, 8 F.R. 17485, effective 1-4-44]

(k) Purchases of commodities to be imported into the continental United States by any person who deals directly with a foreign seller whose place of business is located outside the continental United States or with his selling agent wherever located.

[Paragraph (k) amended by Am. 26, 8 F.R. 11814, effective 8-30-43]

(l) Component parts and subassemblies of certain military products, as specified below in paragraph (c) of section 4. 3.

(m) Sales and deliveries of 40% oleum (109% sulphuric acid) to an ordnance plant or works operated by or for the United States or any agency thereof.

[Paragraph (m) amended by Am. 36, 8 F.R. 15527, effective 7-3-43]

(n) Sales and deliveries of the following articles by the Coca Cola Company of Wilmington, Delaware, to bottlers of Coca Cola:

- Upright and horizontal frames.
- Metal racks.
- Menu boards and signs.
- Wood hangers.
- Porcelain enamel signs.
- Porcelain enamel letters.
- Booms and weathercock for porcelain enamel signs.
- Fibre signs.
- Outdoor signs and inserts.
- Miscellaneous metal signs.
- Privilege panels and inserts.
- Embossed metal material.
- Painted bottles, metal or hardboard.
- Trays.
- Pigskin billfolds.
- Thermometers.
- Miniature bottles and cases.
- Giant bottles and crowns.
- Rulers.
- Pencils.
- Bottle openers.
- Ice picks.
- Phonograph records.
- Slide films.
- Playing cards.
- Game kits.
- Mending kits.

[Paragraph (n) added by Am. 38, 8 F.R. 16664, effective 12-15-43]

#### ARTICLE IV—EXCEPTION OF SALES TO GOVERNMENT AGENCIES

**SEC. 4.1 Basis of classification in this article.** The exceptions stated in this article, classified according to the purchasing agency or agencies, are those which are based primarily upon the governmental character of the purchaser.

**SEC. 4.2 Exception of sales to the United States or any of its agencies.** Sales and deliveries of the following, when made to the United States or any of its agencies, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Brazilian rock quartz crystals, suitable for piezoelectrical purposes.

(b) Standard Model F-4 payroll machines manufactured by the International Payroll Machine Company of Reading, Pennsylvania, delivered prior to July 1, 1943.

(c) Manila cordage sold by Metals Reserve Company or its duly authorized agent or agents. The term "Manila cordage" has the same meaning here as in paragraph (d) of section 4. 5 below.

(d) Brooms sold by Federal Prison Industries, Inc.

(e) 40% oleum, as specified above in paragraph (m) of section 3. 2.

(f) Clay pigeons, but this exemption shall expire on April 1, 1944.

[Paragraph (f) added by Am. 28, 8 F.R. 12406, effective 9-11-43; amended by Am. 43, 9 F.R. 184, effective 1-1-44]

**SEC. 4.3 Exception of sales to the United States or its agencies or to certain foreign governments or their agencies.** Sales and deliveries of the following are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated, when made to the United States or any agency thereof or to the government of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States," or any agency of any such government, and also in certain cases of related transactions when made to others as specifically provided below:

(a) Aircraft, ammunition, armored trains, artillery, balloon barrage equipment, bombs, bomb sights, caissons, fire control equipment, gas masks, grenades, gun sights, military bridges, mines, mortars, projectiles, pyrotechnics, small arms, ships and boats and torpedoes.

(b) Amphibians, armored vehicles, automobiles, tanks, trailers and trucks, when sold for military purposes.

(c) Component parts and subassemblies of any product excepted under paragraphs (a) and (b), above, regardless of the person to whom sold or delivered, including all metallic and non-metallic component parts, adjuncts and accessories which have been machined or fabricated but not including raw or unfinished materials or any other materials which are in such form as to permit their use in the manufacture of products other

than those excepted under paragraphs (a) and (b), above.<sup>7</sup>

(d) Military propellants and explosives.

(e) Imported mahogany logs, lumber, fletches, veneer and plywood and mahogany lumber, fletches, veneer and plywood manufactured therefrom in the United States—or any of the same when sold or delivered to any person who will use such commodity to fulfill (1) a contract with the United States or any agency thereof or with any Government or agency thereof the defense of which the President deems vital to the defense of the United States as aforesaid or (2) a subcontract under any such contract. The term "mahogany", as here used, means the wood of the several species of the genus *Swietenia* and the wood of the several species of the genus *Khaya* of the Meliaceae family, and the term "mahogany plywood" means plywood composed of one or more plies of mahogany veneer.

[Paragraph (e) amended by Am. 2, 8 F.R. 6363, effective 5-19-43]

(f) Any commodity purchased for immediate delivery under such circumstances of emergency as to make immediate delivery imperative and as to render it impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable: *Provided*, That the person making such purchase on behalf of the purchasing Government or agency files a report with the Office of Price Administration, Washington, D. C., within five days after such purchase is made, certifying that such emergency existed and setting forth: (1) the name and address of the seller, (2) date of purchase, (3) date of delivery, (4) description of commodity purchased, (5) quantity purchased, (6) price at which purchased, and (7) a brief statement of the facts giving rise to the emergency situation which necessitated the purchase at a price higher than the applicable maximum price.

(g) Calcium carbide when sold by Defense Supplies Corporation.

(h) Any imported commodity while in its imported state or after being subjected to a process that does not result in the production of a new and different article having a distinctive name, character or use, if sold to any person who certifies in writing to the seller that the commodity will be used to fulfill a contract with the United States or any agency thereof, or with such other government or any agency thereof, or to fulfill a subcontract under such a contract. Such a contract shall be evidenced either by a signed contract between the contractor-buyer and the agency, or by a letter of intent from the agency to such a person that a contract will be forthcoming. Such a subcontract shall be evidenced by a

<sup>7</sup> Revised Supplementary Regulation No. 11, § 1499.46 (b) (114), excepts from the General Maximum Price Regulation any manufacturing service performed by a person other than the manufacturer in the production of any product excepted under paragraphs (a), (b) and (c) of section 4. 3, above, if all or part of the material on which such service is performed is supplied by the manufacturer.

signed contract between the prime contractor and sub-contractor or between one sub-contractor and another or by a letter of intent from the prime contractor to the sub-contractor or from one subcontractor to another that such a subcontract will be forthcoming: *Provided, however, That:*

(1) This exception shall not apply to the following imported commodities:

- (i) Fish and sea food: canned, salted, pickled, smoked or frozen.
- (ii) Other foodstuffs processed after importation.
- (iii) Silver bullion.
- (iv) Crude rubber, balata, and guayule.
- (v) Lumber and wood shingles produced in and imported from Canada or Mexico.
- (vi) Molasses produced in and imported from Hawaii for use in producing ethyl alcohol.

[Subparagraph (vi) added by Am. 42, 9 F.R. 38, effective 12-30-43]

(2) The term "imported commodity," as above used, means any commodity transported into the continental United States from any place outside thereof. Goods entered in a foreign trade zone or a customs bonded warehouse shall be considered as "imported."

[Paragraph (h) amended by Am. 26, 8 F.R. 11814, effective 8-30-43]

(i) The following Army field and emergency rations and commodities:

(1) Completed rations: C; D; K; Five-in-One; Mountain; Bail Out; Combat; Jungle; Life Raft; Corned Beef Hash (5½ lb. can); Meat and Vegetable Stew (30 oz. can); Meat and Vegetable Hash (6 lb. 12 oz. can); Chili Con Carne; and Ten-in-One.

[Subparagraph (1) amended by Am. 8, 8 F.R. 7270, effective 6-4-43; and Am. 34, 8 F.R. 15381, effective 11-12-43]

(2) All finished component parts of these rations (for example, finished biscuits, finished drink powders, etc., as distinct from their ingredients). However, the following finished component parts shall be subject to maximum prices in sales to these buyers:

- (i) Breakfast cereals.
- (ii) Milk, condensed (covered by Maximum Price Regulation No. 289).
- (iii) Milk, unsweetened evaporated, unsweetened dehydrated (powdered skim) (covered by Maximum Price Regulation No. 289).
- (iv) Canned fruits, fruit juices and nectars (covered by Maximum Price Regulations Nos. 185 and 306).
- (v) Dried fruits (covered by Maximum Price Regulation No. 227).
- (vi) Raisins (covered by Maximum Price Regulation No. 242).
- (vii) Canned vegetables and vegetable juices (covered by Maximum Price Regulations Nos. 152 and 306).
- (viii) Dehydrated potato shreds.
- (ix) Canned sliced bacon (covered by Maximum Price Regulation No. 148).
- (x) Canned pork sausage (covered by Maximum Price Regulation No. 148).
- (xi) Canned corned pork (covered by Maximum Price Regulation No. 148).
- (xii) Canned corned beef (covered by Maximum Price Regulation No. 156).
- (xiii) Spaghetti (covered by Maximum Price Regulation No. 325).
- (xiv) Cheese (covered by Maximum Price Regulation No. 280).
- (xv) Peanuts (covered by Maximum Price Regulation No. 335).
- (xvi) Fruit preserves, jams, jellies (covered by Maximum Price Regulation No. 226).

- (xvii) Powdered puddings.
- (xviii) Tea (covered by Revised Price Schedule No. 91).
- (xix) Sugar (covered by Revised Price Schedule No. 60).
- (xx) Salt and salt tablets.
- (xxi) Hard candy.
- (xxii) Chewing gum.
- (xxiii) Cigarettes (covered by Revised Price Schedule No. 62).

(xxiv) Toilet paper (covered by Maximum Price Regulation No. 266).

(xxv) Halazone tablets (covered by Maximum Price Regulation No. 392).

(xxvi) Matches (covered by Maximum Price Regulation No. 365).

(xxvii) Soap (covered by Maximum Price Regulation No. 391).

(xxviii) Paper towels (covered by Maximum Price Regulation No. 266).

(xxix) Canned roast beef (covered by Maximum Price Regulation No. 169).

(xxx) Dehydrated corned beef hash.

[Subparagraphs (xxv) through (xxx) added by Am. 34, 8 F.R. 15381, effective 11-12-43]

(j) Canned fish flakes: *Provided, however,* That within fifteen days after entering into any contract made on or after April 3, 1943, for the sale or delivery thereof, the seller shall file with the Office of Price Administration either a duly authenticated copy of such contract or, in lieu thereof, a duly authenticated summary of such contract setting forth the name of the seller, date of contract, term of contract, price, quantity, species and manner of preparation, name of buyer, point of delivery corresponding to sales price, and method of delivery.

(k) The following commodities, but this exception shall expire April 1, 1944:

(1) The following ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(2) Field ranges, Model-1937 (Quartermaster Corps); spare parts thereof, Class A.

(3) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(i) Accessories for field range Model-1937 (Quartermaster Corps). Parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model-1937 (Quartermaster Corps);

(ii) Metal insignia, cap and collar (for enlisted men).

(4) Deliveries of canteen cups and meat cans, Model M-1942 pursuant to contracts entered into prior to April 1, 1943.

[Paragraph (k) amended by Am. 20, 8 F.R. 9219, effective 7-1-43; Am. 31, 8 F.R. 13513, effective 10-1-43; and Am. 43, 9 F.R. 184, effective 1-1-44]

(l) Canned (in tin) white potatoes.

[Paragraph (l) added by Am. 19, 8 F.R. 9016, 10002, effective 6-28-43]

(m) Barbed wire concertinas.

[Paragraph (m) added by Am. 53, effective 4-7-44]

**SEC. 4.4 Exception of sales pursuant to developmental contracts or subcontracts.** The General Maximum Price Regulation shall have no application to sales or deliveries of any commodity

manufactured or service supplied<sup>a</sup> pursuant to a contract or subcontract which is certified in writing to the Office of Price Administration, Washington, D. C., as being a "developmental" contract or subcontract, by the United States or any agency thereof or by the Government of any country the defense of which the President deems vital to the defense of the United States under the terms of the Act of March 11, 1942, entitled "An Act to Promote the Defense of the United States," or any agency of any such Government: *Provided, however, That:*

(a) The manufacturer of the commodity or the supplier of the service files with the Office of Price Administration, Washington, D. C., within ten days after entering into the contract or subcontract, a report containing a description of the product to be manufactured or service to be supplied, a summary of the terms of the contract or subcontract, including all pricing provisions, a statement of the production plan of which the contract or subcontract is a part, and an estimate of the expected duration of such developmental work.

(b) If at any time the Office of Price Administration determines, after consultation with the certifying government agency, that the period necessary for development has expired and in writing so notifies such agency and the manufacturer of the commodity or supplier of the service, this exception shall not apply to the commodities or services thereafter sold, delivered or supplied under the contract or subcontract to which such notice relates.

(c) A contract or subcontract is, for the purpose of this section, deemed to be "developmental" if the manufacturer or supplier thereunder requires a period of time for the accumulation of sufficient production experience to permit him to make a fair estimate of his manufacturing costs or if the purchaser thereunder requires a period of time to select a product, or both.

**SEC. 4.5 Exception of sales to Metals Reserve Company or its agents.** Sales and deliveries of the following, when made to Metals Reserve Company or any of its agents, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Metallic copper, lead or zinc, or ores or concentrates containing copper, lead or zinc, sold pursuant to the Premium Price Plan announced by the Federal Loan Agency, the War Production Board, and the Office of Price Administration.

(b) Aluminum scrap sold pursuant to the program with respect to idle or excessive inventories of aluminum materials adopted and announced on February 24, 1942, by the War Production Board, Division of Industry Operations.

(c) Nickel-bearing scrap materials sold pursuant to the program with respect to frozen stocks of metallic nickel adopted and announced on April 15, 1942,

<sup>a</sup> The supply of such services is excepted from the General Maximum Price Regulation by § 1499.46 (b) (115) of Revised Supplementary Regulation No. 11.

by the War Production Board, Division of Industry Operations.

(d) Manila cordage sold by persons other than the producers thereof. The term "Manila cordage," as here used, means rope and cable in which Manila fiber is used either alone or in combination with other fibers and which is of diameters of  $\frac{1}{8}$  of an inch and larger and of lengths of not less than 200 feet and of grades designated by manufacturers as "better than grade #1", "grade #1", "grade #2" and "grade #3."

(e) Nickel oxide sold by the Electric Heating Equipment Company of Philadelphia, Pennsylvania.

(f) Electrotype plates, as specified above in paragraph (h) of section 2.9.

**SEC. 4.6 Exception of sales to specified government agencies.** Sales and deliveries of the following, when made to the government agencies or other persons specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Talking books manufactured by the American Foundation for the Blind and sold to the Library of Congress.

(b) Tires and tubes sold or delivered to Defense Supplies Corporation pursuant to the Idle Tire Purchase Plan.

(c) Solid-pack pie apricots in No. 10 cans sold to the Agricultural Marketing Administration for Lend-Lease purposes exclusively.

(d) Beef or veal, or any product made or derived therefrom, sold to the armed forces of the United States or the Federal Surplus Commodities Corporation under contracts entered into before July 13, 1942.

(e) Dried apples, dried apricots, raisins, dried peaches or dried pears sold to the armed forces of the United States or to the Federal Surplus Commodities Corporation.

(f) Dehydrated vegetables sold to the armed forces of the United States or any other purchasing agency of the United States.

(g) Phosphorus sold by the Tennessee Valley Authority to the War Department.

(h) Funeral supplies, appurtenances, and services rendered by a funeral director under a contract with the U. S. Veterans' Administration.

[Paragraph (h) added by Am. 3, 8 F.R. 6547, effective 5-22-43]

(i) Steel valves, valve parts or subassemblies sold by a subcontractor to a valve manufacturer who has previously entered into a contract entitled "Contract Between the Navy Department and Valve Manufacturers for Reimbursement of Added Cost on Subcontracted Valves and Valve Parts," or sold by a subsubcontractor to such subcontractor for sale to such valve manufacturer, except that if the same kind of valve, valve part or subassembly was sold to the same valve manufacturer or subcontractor by the same seller prior to June 7, 1943, the sale of such valve, valve part or subassembly by the seller after June 7, 1943, shall not be exempt under this paragraph (i).

[Paragraph (i) added by Am. 12, 8 F.R. 7668, effective 6-7-43]

(j) Domestically manufactured jewel bearings, which are used in timekeeping instruments, sold to the Defense Supplies Corporation. See section 5.2 for sales by or for the account of Defense Supplies Corporation.

[Paragraph (j) added by Am. 13, 8 F.R. 8710, effective 6-29-43]

#### ARTICLE V—EXCEPTION OF SALES BY GOVERNMENT AGENCIES

**SEC. 5.1 Basis of classification in this article.** The exceptions stated in this article are those which are based primarily upon the governmental character of the seller.

**SEC. 5.2 Commodities excepted.** Sales and deliveries of the following, when made by the government agencies specified below, are excepted from the General Maximum Price Regulation either absolutely or, where the exception is qualified, under the conditions and to the extent indicated:

(a) Any scrap, waste, damaged or used materials or commodities sold, delivered or transferred by the War Department, the Department of the Navy of the United States, or the Procurement Division—Treasury Department.

[Paragraph (a) amended by Am. 5, 8 F.R. 6852, effective 5-28-43]

(b) Vinyl acetate-vinyl chloride copolymer transcription records sold by the United States or any agency thereof.

(c) Ammunition sold by Defense Supplies Corporation.

(d) Phonograph records sold by the recording laboratory of the Library of Congress.

(e) Balata rubber sold by Rubber Reserve Company, as specified above in paragraph (b) of section 2.6.

(f) Crude petroleum transported through the war emergency pipelines system and sold by Defense Supplies Corporation at the eastern termini of such system.

(g) Temporary buildings sold apart from the land by the United States or any agency thereof and also the supply of demolition, wrecking, and site-clearance services<sup>9</sup> which are part of and are included within the sale of such temporary buildings.

(h) Domestically manufactured jewel bearings, which are used in timekeeping instruments, sold by or for the account of the Defense Supplies Corporation. See section 4.2 for sales to Defense Sales Corporation.

[Paragraph (h) added by Am. 13, 8 F.R. 8710, effective 6-29-43]

#### APPENDIX A—TABLES OF CROSS-REFERENCES

##### TABLE I—FORMER PROVISIONS OF THE GENERAL MAXIMUM PRICE REGULATION

Former paragraph of § 1499.9 of GMPR	Present counterpart in Rev. Supp. Reg. No. 1
(a) (1) — Combined with § 1499.20 (1).	Sec. 2.12 (1)
(a) (2) — Sec. 2.3 (h)	

<sup>9</sup>The supply of such services is excepted from the General Maximum Price Regulation by § 1499.46 (b) (117) of Revised Supplementary Regulation No. 11.

TABLE I—FORMER PROVISIONS OF THE GENERAL MAXIMUM PRICE REGULATION—continued

Former paragraph of § 1499.9 of GMPR	Present counterpart in Rev. Supp. Reg. No. 1
(a) (3) — Combined with § 1499.20 (p).	Sec. 2.3 (d)
(a) (4) — Combined with § 1499.20 (v).	Sec. 2.3 (q)
(a) (4) — Combined with § 1499.20 (w) and (x).	Sec. 2.3 (r)
(a) (5) — [Covered by specific price regulations]	
(a) (6) — Sec. 2.3 (i)	
(a) (7) — Sec. 2.3 (j) (k) (l) (m) and (n) and Sec. 2.12 (c) and (d)	
(a) (8) — Sec. 2.12 (b)	
(a) (9) — Sec. 2.4 (a)	
(a) (10) — Combined with § 1499.20 (y).	Sec. 2.9 (e) (f) and (g)
(a) (11) — Sec. 2.10 (c)	
(a) (12) — Combined with § 1499.20 (z).	Sec. 2.12 (e) (f) (g) (h) and (i)
(a) (13) — Sec. 2.8 (d)	
(a) (14) — Sec. 2.10 (d)	
(a) (15) — Combined with § 1499.20 (q).	Sec. 2.12 (k)
(b) (1) — Sec. 3.2 (a)	
(b) (2) — Sec. 3.2 (b)	
(b) (3) — Sec. 3.2 (c)	
(b) (4) — Sec. 3.2 (d)	
(b) (5) — Sec. 3.2 (e)	
(b) (6) — Sec. 3.2 (f)	
(b) (7) — Sec. 3.2 (g)	

TABLE II—FORMER PROVISIONS OF SUPPLEMENTARY REGULATION NO. 1

Former paragraph of Supp. Reg. No. 1 (§ 1499.26)	Present status or counterpart
(a) (1) — Combined with (e) (1) (i) and (ii).	Rev. Supp. Reg. No. 1, Sec. 2.12 (a)
(a) (2) — Rev. Supp. Reg. No. 1, Sec. 2.9 (b)	
(a) (3) — Rev. Supp. Reg. No. 1, Sec. 2.8 (a)	
(a) (4) — Rev. Supp. Reg. No. 1, Sec. 2.9 (g)	
(a) (5) — Rev. Supp. Reg. No. 1, Sec. 2.8 (b)	
(a) (6) — Rev. Supp. Reg. No. 1, Sec. 2.11 (a)	
(a) (7) — [Revoked]	
(a) (8) — Rev. Supp. Reg. No. 1, Sec. 2.3 (a)	
(a) (9) — MPR No. 20, Sec. 1309.71 (1) (1)	
(a) (10) — Combined with (e) (1) (iii).	Rev. Supp. Reg. No. 1, Sec. 2.3 (o)
(a) (11) — Combined with (e) (1) (v).	Rev. Supp. Reg. No. 1, Sec. 2.5 (a)
(a) (12) — Combined with (e) (1) (iv).	Rev. Supp. Reg. No. 1, Sec. 2.9 (c)
(a) (13) — Rev. Supp. Reg. No. 1, Sec. 2.8 (c)	
(a) (14) — [Expired]	
(a) (15) to (21), Incl. —Combined with (e) (1) (vii) and (viii).	Rev. Supp. Reg. No. 1, Sec. 2.3 (p)
(a) (22) — Rev. Supp. Reg. No. 1, Sec. 2.3 (c)	
(a) (23) — [Expired]	
(a) (24) — Combined with (e) (1) (ix).	Rev. Supp. Reg. No. 1, Sec. 2.11 (b)
(a) (25) — Combined with (e) (1) (xiv).	Rev. Supp. Reg. No. 1, Sec. 2.5 (b)
(a) (26) — Rev. Supp. Reg. No. 1, Sec. 5.2 (a)	
(a) (27) — Rev. Supp. Reg. No. 1, Sec. 2.12 (b)	
(a) (28) — Rev. Supp. Reg. No. 1, Sec. 2.10 (a)	

TABLE II—FORMER PROVISIONS OF SUPPLEMENTARY REGULATION NO. 1—continued

<i>Former paragraph of Supp. Reg. No. 1 (\$ 1499.26)</i>	<i>Present status or counterpart</i>
(a) (29)-----	Rev. Supp. Reg. No. 1, Sec. 2.3 (b)
(a) (30)-----	Rev. Supp. Reg. No. 1, Sec. 2.7 (c)
(a) (31)-----	Rev. Supp. Reg. No. 1, Sec. 2.3 (e)
(a) (32)-----	Rev. Supp. Reg. No. 1, Sec. 2.9 (h)
(a) (33)-----	Rev. Supp. Reg. No. 1, Sec. 2.4 (a)
(a) (34)-----	Rev. Supp. Reg. No. 1, Sec. 2.4 (b)
(a) (35)-----	Rev. Supp. Reg. No. 1, Sec. 2.7 (d)
(a) (36)-----	Rev. Supp. Reg. No. 1, Sec. 2.10 (b)
(a) (37) — Combined with (e) (1) (xii).-----	Rev. Supp. Reg. No. 1, Sec. 2.3 (f)
(a) (38)-----	[Revoked]
(a) (39)-----	Rev. Supp. Reg. No. 1, Sec. 2.9 (d)
(a) (40) — Combined with (e) (1) (xiii).-----	Rev. Supp. Reg. No. 1, Sec. 2.9 (b) (5)
(a) (41)-----	Rev. Supp. Reg. No. 1, Sec. 5.2 (b)
(a) (42)-----	Rev. Supp. Reg. No. 1, Sec. 2.12 (j)
(a) (43)-----	Rev. Supp. Reg. No. 1, Sec. 2.6 (c)
(a) (44) — Combined with (e) (1) (xv).-----	Rev. Supp. Reg. No. 1, Sec. 2.3 (g)
(b) (1)-----	Rev. Supp. Reg. No. 1, Sec. 3.2 (h)
(b) (2) — Combined with (e) (1) (x) and (xi).-----	Rev. Supp. Reg. No. 1, Sec. 3.2 (i)
(b) (3)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (a)
(b) (4)-----	Rev. Supp. Reg. No. 1, Sec. 2.5 (c)
(b) (5)-----	Rev. Supp. Reg. No. 1, Sec. 2.10 (e)
(b) (6)-----	Rev. Supp. Reg. No. 1, Sec. 2.10 (f)
(b) (7)-----	Rev. Supp. Reg. No. 1, Sec. 2.5 (d)
(b) (8)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (b)
(b) (9)-----	Rev. Supp. Reg. No. 1, Sec. 5.2 (c)
(b) (10)-----	Rev. Supp. Reg. No. 1, Sec. 5.2 (d)
(b) (11)-----	Rev. Supp. Reg. No. 1, Sec. 3.2 (j)
(b) (12)-----	Rev. Supp. Reg. No. 1, Sec. 2.6 (b)
(b) (13)-----	Rev. Supp. Reg. No. 1, Sec. 5.2 (f)
(c) (1)-----	Rev. Supp. Reg. No. 11, § 1499.46 (b) (116)
(c) (2)-----	[Expired]
(d) (1)-----	Rev. Supp. Reg. No. 1, Sec. 5.2 (g); Rev. Supp. Reg. No. 11, § 1499.46 (b) (117)

TABLE III—FORMER PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 4

<i>Former paragraph of Rev. Supp. Reg. No. 4 (\$ 1499.29)</i>	<i>Present status or counterpart</i>
(a) (1)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (a) and (b)
(a) (2)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (c)
(a) (3)-----	Rev. Supp. Reg. No. 11, § 1499.46 (b) (114) and (108)
(a) (4)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (d)
(a) (5)-----	Rev. Supp. Reg. No. 1, Sec. 4.4; Rev. Supp. Reg. 11, § 1499.46 (b) (115)

TABLE III—FORMER PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 4—continued

<i>Former paragraph of Supp. Reg. No. 4 (\$ 1499.29)</i>	<i>Present status or counterpart</i>
(a) (6)-----	Supp. Order No. 42
(a) (7)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (f)
(a) (8)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (k)
(a) (9)-----	Rev. Supp. Reg. No. 1, Sec. 4.2 (a)
(a) (10)-----	Rev. Supp. Reg. No. 1, Sec. 4.5 (a)
(a) (11)-----	Rev. Supp. Reg. No. 1, Sec. 4.5 (b)
(a) (12)-----	Rev. Supp. Reg. No. 1, Sec. 4.5 (c)
(a) (13)-----	[Revoked]
(a) (14) (i)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (c)
(a) (14) (ii)-----	[Covered by specific price regulations]
(a) (15)-----	Supp. Order No. 27
(a) (16)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (d)
(a) (17)-----	Rev. Supp. Reg. No. 1, Sec. 4.2 (b)
(a) (18)-----	Rev. Supp. Reg. No. 1, Sec. 4.2 (c) and 4.5 (d)
(a) (19)-----	[Expired]
(a) (20)-----	[Covered by specific price regulations]
(a) (21)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (e)
(a) (22)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (f)
(a) (23)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (e)
(a) (24)-----	Rev. Supp. Reg. No. 1, Sec. 4.6 (g)
(a) (25)-----	Rev. Supp. Reg. No. 1, Sec. 4.5 (e)
(a) (26)-----	[Expired]
(a) (27)-----	Rev. Supp. Reg. No. 1, Sec. 4.2 (d)
(a) (28)-----	Rev. Supp. Reg. No. 11, § 1499.46 (b) (108)
(a) (29)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (g)
(a) (30)-----	Rev. Supp. Reg. No. 1, Sec. 3.2 (m)
(a) (31)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (l)
(a) (32)-----	Rev. Supp. Reg. No. 1, Sec. 4.3 (j)
(b) -----	Supp. Order No. 9
(e) -----	[Revoked]

TABLE IV—PROVISIONS OF REVISED SUPPLEMENTARY REGULATION NO. 12

<i>Paragraph of Rev. Supp. Reg. No. 12 (\$ 1499.1401)</i>	<i>Counterpart in Rev. Supp. Reg. No. 1</i>
(a) (1)—Combined with § 1499.1406	Sec. 3.2 (k)
(a) (2)—Combined with § 1499.1406	Sec. 4.3 (h)

Revised Supplementary Regulation No. 1 shall become effective April 22, 1943, except that section 2.3 (e) shall be effective as of May 11, 1942.

[Effective date provision amended by Am. 4, 8 F.R. 6615, effective 5-24-43]

[Revised Sup. Reg. 1 originally issued April 16, 1943]

[Effective dates of amendments are shown in notes following the parts affected]

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4652; Filed, April 1, 1944;  
8:21 p. m.]

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 130,<sup>1</sup> Amdt. 6]

##### NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation No. 130 is amended in the following respects:

1. Section 1347.281 (a) (2) (ii) is amended to read as follows:

(ii) *Rolls.* Rolls shall be not less than 15 inches wide nor less than 28 inches in diameter.

2. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Light weight quality.* There may be added to the maximum prices hereinabove established, a price differential not in excess of \$4.00 per ton for light weight newsprint paper, as hereinbefore defined, *Provided, however,* That with respect to newsprint paper manufactured outside the Continental United States, such light weight differential may, during the period from April 1, 1944, through July 31, 1944, inclusive, be an amount agreed upon between the individual seller and purchaser. Such differential shall not exceed an amount computed as follows:

The manufacturer of the newsprint involved shall in accordance with his customary accounting methods determine his total production cost per ton for the standard newsprint customarily produced by him. He shall then estimate what his total production cost per ton for the particular light weight newsprint will be during the four-month period; using the same accounting methods. The total production cost per ton for the standard newsprint shall then be subtracted from the estimated total production cost per ton for the particular light weight newsprint involved. The difference is the maximum allowable differential for the particular weight of light weight standard newsprint.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4651; Filed, April 1, 1944;  
3:20 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 271,<sup>2</sup> Amdt. 12]

##### POTATOES AND ONIONS

A statement of the considerations involved in the issuance of this amendment

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> F.R. 9251, 10255; 8 F.R. 1586, 2670, 7766, 11382, 16918.

<sup>2</sup> F.R. 15587, 15663; 9 F.R. 1532.

has been issued and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 271 is amended in the following respects:

1. In section 9 (e), the text is designated (1) and a new paragraph (2) is added to read as follows:

(2) In the case of onions, if a country shipper makes sales to procurement agencies of the United States, and at the buyer's specification, grades or regrades the onions and specially packs them in containers other than bags, he may add 40 cents per 50 pounds to his maximum price, f. o. b. country shipping point.

2. In section 24, Table VI is added to read as follows:

TABLE VI—EARLY DRY ONIONS (1944 CROP)

MAXIMUM PRICES PER 50 POUNDS, ALL PRODUCING AREAS<sup>1</sup>

Period:	Maximum price
March 20 to May 15, inclusive	\$2.65
May 16 to June 15, inclusive	2.55
June 16 to July 15, inclusive	2.35

<sup>1</sup> The following differentials are applicable to the prices in the above table.

(a) For white onions, the country shipper may add 15 cents per 50 pounds.

(b) For white boiler and pickler onions (meeting United States Department of Agriculture standards for size only) the country shipper may add \$1 per 50 pounds.

(c) For onions sold in bulk or in containers furnished by the purchaser, the country shipper shall subtract 15 cents per 50 pounds.

(d) For onions 3½ inches and larger, the country shipper may add 20 cents per 50 pounds.

(e) If the country shipper supplies excelsior or other protective pads in making shipments of early dry onions by rail freight car, he may add 2 cents per 50 pounds.

3. Section 25 (a) (2) is amended by adding an item to the list, to read as follows:

U. S. No. 1 or better, 6 oz. and heavier, 2½ inch and larger—add 35 cents

4. Section 25 (a) (3) is amended to read as follows:

(3) *Baking type.*

6 oz. minimum to 14 oz. maximum, or 2½ inch minimum to 4 inch maximum, hand selected and graded, washed or brushed, and specially packed in 100 pound bags—add 50 cents  
Same, but specially packed in 10 lb. mesh bags, or in bags containing 10 mesh bags, each such bag containing approximately 5 lbs.—add \$1.25  
Same, but specially packed in 50 lb. bags—add 60 cents  
12 oz. minimum, packed in 50 lb. bags—add 70 cents  
Same, but packed in 100 lb. bags—add 60 cents

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

CHESTER BOWLES,  
Administrator.

Approved: April 1, 1944.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 44-4650; Filed, April 1, 1944;  
3:20 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1<sup>2</sup> to GMPR, Amdt. 54]

EXEMPTIONS OF CERTAIN SKI TROOP EQUIPMENT AND FIELD RANGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 1 is amended in the following respects:

Section 4.3 (k) is amended to read as set forth below:

(k) The following commodities, but this exception shall expire July 1, 1944:

(1) The following ski troop equipment: carabiners, ice axes, pitons (rock and ice), and ski bindings.

(2) Field ranges, Model—1937 (quartermaster corps); spare parts thereof, Class A.

(3) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(i) Accessories for field range Model—1937 (quartermaster corps), Parts 222, 223, 224, 225, 226, 227, 228, 229 and 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model—1937 (quartermaster corps):

(4) Deliveries of Canteen cups and meat cans, Model—1942 pursuant to contracts entered into prior to April 1, 1943.

This amendment shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4653; Filed, April 1, 1944;  
3:21 p. m.]

PART 1340—FUEL

[MPR 120,<sup>3</sup> Corr. to Amdt. 93]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

Paragraph 4 is corrected to read as follows:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 4978, 6055, 6363, 6547, 6615, 6852, 6964, 7261, 7270, 7349, 7592, 7600, 7668, 8710, 8754, 9016, 9025, 9218, 9219, 10002, 10304, 10759, 11572, 11754, 11738, 11814, 11951, 12408, 12793, 13171, 13513, 14473, 14819, 15381, 15432, 15527, 16603, 16664, 16797, 17485; 9 F.R. 38, 215, 184, 730, 797, 755, 1531, 2138, 2413, 2692.

<sup>2</sup> 9 F.R. 3035.

4. In § 1340.219 (b), subparagraph (5) is revoked and subparagraphs (6), (7), (8), (9) and (10) are redesignated (5), (6), (7), (8) and (9).

This correction to Amendment No. 93 shall become effective as of March 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4708; Filed, April 3, 1944;  
11:36 a. m.]

PART 1346—BUILDING MATERIALS

[MPR 317,<sup>4</sup> Amdt. 3]

LOCKS AND LOCK SETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 317 is amended in the following respects:

1. The headnote to § 1346.354 and paragraph (a) thereof are amended to read as follows:

<sup>3</sup> 1346.354 Manufacturers' maximum prices for locks and lock sets except cylindrical, tubular, and rim locks and lock sets—(a) Manufacturers' sales to jobbers. The maximum price for sales by manufacturers of locks and lock sets to jobbers, except sales of cylindrical and tubular locks and lock sets and rim locks and lock sets by manufacturers to jobbers, shall not be more than the prices set forth in Appendix A, incorporated herein as § 1346.367.

(1) Subject to a discount of 5 percent.

2. Paragraphs (d) and (e) of Section 1346.357a are redesignated (e) and (f) respectively; and a new paragraph (d) is added to read as follows:

(d) Maximum prices for the Pacific Plastic and Manufacturing Company—(1) Sales to all persons. The maximum price for the sale of tubular locks and lock sets by the Pacific Plastic and Manufacturing Company to all persons shall be the list prices set forth in Table 19 of Appendix B (Section 1346.368), subject to

(i) A discount of 50 percent.

3. A new § 1346.357d is added to read as follows:

<sup>4</sup> 1346.357d Manufacturers' maximum prices for rim locks and lock sets—(a) Maximum prices for the Clinton Lock Company—(1) Sales to all persons. The maximum price for sales of rim locks and lock sets by the Clinton Lock Company shall not be more than the list price for each rim lock and lock set as set forth in its "Special Net Price List—Applying to Supplementary Catalog No. 38" dated December 24, 1940, subject to

(i) The discount or discounts which were extended or would have been extended to jobbers on comparable sales on October 1, 1941.

<sup>5</sup> 8 F.R. 1800, 1983, 6357, 13003.

(b) Maximum prices for manufacturers listed in Appendix C of rim locks and lock sets—(1) Sales to jobbers. The maximum price for sales of rim locks and lock sets by the manufacturers listed in Appendix C (which does not include the Clinton Lock Company) shall not be more than the prices set forth in Appendix C (§ 1346.369), subject to

(i) A discount of 5 percent.

(2) Sales to persons other than jobbers. The maximum price for sales to persons other than jobbers shall not be more than the prices set forth in Appendix C (§ 1346.369) subject to

(i) The discount or discounts which were extended or would have been extended to such persons on comparable sales on October 1, 1941.

(c) Manufacturers' maximum prices for rim locks and lock sets first offered for sale on and after April 8, 1944. The maximum price for sales of any rim lock and lock set first offered for sale by a manufacturer on or after April 8, 1944, for which a maximum price is not set forth in Appendix C (§ 1346.369) and which differs in size, type, material, or combination of component parts or trim, in whole or in part, from rim locks or lock sets listed in Appendix C (§ 1346.369) shall be determined in accordance with the provisions of § 1499.154, and sections therein referred to, of Maximum Price Regulation No. 188, as amended.

4. A new § 1346.357e is added to read as follows:

**§ 1346.357e Jobbers' maximum prices for rim locks and lock sets.** The maxi-

mum price for sales of rim locks and lock sets by jobbers, except sales at retail, shall not be more than the actual cost of such rim locks and lock sets (figured at prices not higher than the maximum price permitted by this regulation), plus a mark-up over cost of  $33\frac{1}{3}$  percent plus transportation charges paid by the jobber in securing delivery. If a jobber sells rim locks and lock sets at retail, such a sale is to be governed by the provisions of the General Maximum Price Regulation.

5. A new § 1346.357f is added to read as follows:

**§ 1346.357f Cash and quantity discounts, transportation charges, and other services on rim locks and lock sets applicable to manufacturers.** The maximum prices established under § 1346.357d shall be subject to at least the same extension of cash and quantity discounts, the same absorption of transportation charges and the same rendition of services which the manufacturer extended, absorbed or rendered or would have extended, absorbed or rendered to purchasers of the same class on comparable sales on October 1, 1941.

6. A new § 1346.357g is added to read as follows:

**§ 1346.357g Cash, quantity and other discounts, transportation charges, and other services on sales of rim locks and lock sets applicable to jobbers.** The

maximum prices established under § 1346.357e shall be subject to at least the same extension of cash, quantity and other discounts, the same absorption of transportation charges and the same rendition of services which the jobber extended, absorbed or rendered or would have extended, absorbed or rendered to purchasers of the same class on comparable sales on October 1, 1941.

7. A new § 1346.369 is added to read as follows:

**§ 1346.369 Appendix C: Maximum prices for rim locks and lock sets.** There is set forth below a table showing the maximum price for each rim lock and lock set to which this regulation applies. The first column shows the description of each lock or lock set. The second column shows the maximum price for each such lock or lock set. The remaining columns show the lock or lock set for each designated manufacturer comparable to each lock or lock set listed in column one.

In order to ascertain a maximum price, a person shall first locate in the proper manufacturer's designated column the lock or lock set for which a maximum price is sought, then reading horizontally to the left determine according to the table the lock or lock set listed in column one to which it is comparable. The maximum price is that appearing opposite to such lock or lock set in column two.

TABLE I—RIM LOCKS AND RIM LOCK SETS\*

Description	Maximum price	Barrows Lock Works	Earle Hardware Mfg. Co.	Lockwood Hardware Mfg. Co.	Norwalk Lock Co.	Penn Hardware Co.	P. & F. Corbin	Reading Hardware Corporation	Russell & Erwin Mfg. Co.	Sager Lock Works	Sargent & Co.	Skillman Hardware Mfg. Co.	Yale & Towne Mfg. Co.
Upright rim lock sets:													
Mineral	\$4.10 doz.	1940M	100M	7536M	1200 $\frac{1}{2}$ A	621M	3315	421M	1888M	M1030	213M	0021 $\frac{1}{2}$ A	M4151
Jet	4.10 doz.	1940J	100J	7536J	1200 $\frac{1}{2}$ C	621J	3317	421J	1888J	J1030	213J	0021 $\frac{1}{2}$ E	J4151
Porcelain	4.10 doz.	1940P	100P	7536P	1200 $\frac{1}{2}$ B	621P	3316	421P	1888P	P1030	213W	0021 $\frac{1}{2}$ B	P4151
Steel	3.95 doz.	1940S	100 x 53 $\frac{1}{2}$ J	7536S	1200 $\frac{1}{2}$ J	621S	3318	421E	1888SJ	S1030	213S	0021 $\frac{1}{2}$ S	S4152
Horizontal rim lock sets:													
Mineral	4.10 doz.	1945M	200M	7110M	1501 $\frac{1}{2}$ A	821M	3330	521M	1288M	M1035	313M	R2300 $\frac{1}{2}$ A	M4201
Jet	4.10 doz.	1945J	200J	7110J	1501 $\frac{1}{2}$ C	821J	3332	521J	1288J	J1035	313J	R2300 $\frac{1}{2}$ E	J4201
Porcelain	4.10 doz.	1945P	200P	7110P	1501 $\frac{1}{2}$ B	821P	3331	521P	1288P	P1035	313W	R2300 $\frac{1}{2}$ B	P4201
Steel	3.95 doz.	1945S	200 x 53 $\frac{1}{2}$ J	7110S	1501 $\frac{1}{2}$ J	821S	3333	521E	1288SJ	S1035	313S	R2300 $\frac{1}{2}$ S	S4202
Horizontal rim latch sets:													
Mineral	4.10 doz.	1952M			720A				2551M	M1041			M4031
Jet	4.10 doz.	1952J			720C				2551J	J1041			J4031
Porcelain	4.10 doz.	1952P			720B				2551P	P1041			P4031
Steel	3.95 doz.	1952S			720J				2551SJ	S1041			S4032
Horizontal rim latch sets x Sliding dead bolt:													
Mineral	4.10 doz.	1950M							2552M	M1040			M4021
Jet	4.10 doz.	1950J							2552J	J1040			J4021
Porcelain	4.10 doz.	1950P							2552P	P1040			P4021
Steel	3.95 doz.	1950S							2552SJ	S1040			S4022
Upright rim locks	2.55 doz.	940	100	7536	1200 $\frac{1}{2}$	621	961	442	1888	1030	3213	0021 $\frac{1}{2}$	415
Horizontal rim locks	2.55 doz.	945	200	7110	1501 $\frac{1}{2}$	821	523 $\frac{1}{4}$	662	1288	1035	2213	R2300 $\frac{1}{2}$	420
Horizontal rim latches	2.55 doz.	942		5960	720		301 $\frac{1}{2}$		2551	1041	4020		403
Horizontal rim latches x Sliding dead bolt	2.55 doz.	950		5976			302		2552	1040	4021		402

\*For maximum prices for Clinton Lock Co. of Clinton, Iowa, see § 1346.357d.

8. Section 1346.368 is amended by adding thereto a new table "Table 19—Pacific Plastic and Manufacturing Company".

TABLE 19—PACIFIC PLASTIC AND MANUFACTURING COMPANY

Description	Plate No.	Maximum price per dozen sets
Tubular sets San Diego design—Ivory plastic-knob 2" diameter with plastic face insert:		
Latch set.....	3134	\$16.70
Bath set.....	3134	24.75
Bedroom set.....	3134	22.30
Closet set.....	P3134	16.70
Tubular sets San Diego design—Ivory plastic knobs 2" diameter with metal face insets:		
Latch set.....	M3134	17.70
Bath set.....	M3134	25.85
Bedroom set.....	M3134	23.30
Closet set.....	MP3134	17.70
Tubular sets Los Angeles design—Ivory all plastic knobs 2" diameter:		
Latch set.....	9134	13.20
Bath set.....	9134	21.00
Bedroom set.....	9134	18.80
Tubular sets x 2" diameter glass knobs—Atlanta design:		
Latch set.....	7234	14.40
Bath set.....	7234	20.80
Bedroom set.....	7234	20.00
Tubular sets x 2" diameter glass knobs—Omaha design:		
Latch set.....	7334	14.90
Bath set.....	7334	21.30
Bedroom set.....	7334	20.50
Tubular sets x 2" diameter glass knobs—Auburn design:		
Latch set.....	7534	14.40
Bath set.....	7534	20.80
Bedroom set.....	7534	20.00
Tubular sets x 2" diameter steel knobs—Dayton design:		
Latch set.....	7634	16.00
Bath set.....	7634	21.60
Bedroom set.....	7634	21.60
Closet set.....	7634	14.30
Latch only.....	86	6.40
Tubular cylindrical locks:		
Dead lock.....	1	3.20
Spring lock.....	2	3.30
Dead latch.....	3	3.50

This Amendment No. 3 shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4700; Filed, April 3, 1944;  
11:39 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS  
[MPR 443,<sup>1</sup> Amdt. 3]

SOYBEAN OIL MEAL, CAKE, PEA SIZE MEAL AND PELLETS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 443 is amended in the following respects:

1. The definition of "processor" in section 3 is amended to read as follows:

"Processor" is a person who crushes soybeans by expeller, extraction or hydraulic process into the soybean oil and soybean oil cake or meal (including soy-

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 10759, 11740, 15368.

bean oil meal for adhesives). It also includes a person converting soybean oil cake into soybean oil meal, pea size meal and pellets.

2. Section 3 is amended by inserting after the definition of "soybean oil meal, cake, pea size meal and pellets" the following new definition:

"Soybean oil meal for adhesives" is a soybean oil meal which is manufactured from selected soybeans by a special process different from that used in the manufacture of soybean oil meal for feed and which is sold by the processor of such soybean oil meal for adhesives to a manufacturer of adhesives.

3. Section 4 (a) is amended to read as follows:

(a) The maximum price for the sale and delivery of domestic soybean oil cake and meal, except soybean oil meal for adhesives, per ton, in carload lots or pool car lots, bulk, 41 percent or more protein, at any point, except within the switching limits of Decatur, Illinois (including production plant), by a processor shall be \$45.00 plus transportation charges as follows:

(1) The carload flat rate on soybean oil meal from Decatur, Illinois, to all points of destination in the United States, except the area east of the Illinois-Indiana state line on or north of the Virginia Railway from Roanoke, Virginia to Norfolk, Virginia; and

(2) The carload flat rate on grain products from Decatur, Illinois, to all points of destination in the area excepted from the above subparagraph (1).

4. Section 4 (e) is added to read as follows:

(e) The maximum prices set forth in paragraphs (a) and (c) hereof shall be increased at the rate of \$3.00 per ton for a sale of soybean oil meal for adhesives.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4705; Filed, April 3, 1944;  
11:37 a. m.]

PART 1383—SHOES AND SHOE FINDINGS

[MPR 420,<sup>1</sup> Amdt. 4]

HARDWOOD HEEL BLOCKS, FINISHED HARDWOOD AND SYNTHETIC HARDWOOD HEELS AND WOOD SHANKS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 420 is amended in the following respects:

1. The title of this regulation is amended to read as follows: "Hardwood Heel Blocks, Finished Hardwood

and Synthetic Hardwood Heels and Wood Shanks", and the words "hardwood heel blocks, finished hardwood heels and wood shanks", wherever they appear, except in sections 3, 4 and 4a, are amended to read as follows: "hardwood heel blocks, finished hardwood and synthetic hardwood heels and wood shanks."

2. Section 2 (a) is amended by adding thereto the following paragraphs:

"Volume slipper heel" means a finished heel of the type commonly used on slippers and low and medium priced play shoes, generally produced in large quantities and subject to a wage rate differential, and known in the trade as a "slipper heel." It includes slipper heels made of hardwood or synthetic hardwood.

"Synthetic hardwood heel" means a heel block moulded from processed granulated hardwood to which covering material and a top lift have been applied, completely finished and suitable for attachment to a shoe.

3. The headnote of section 3 is amended by the addition of the words "and volume slipper heels produced in New York City."

4. Section 3 (a) is amended by inserting after the words "except as otherwise provided under Column III", in the third sentence, the words "and paragraph (c) (5)" and by inserting before the last sentence of the section the following sentence: "The prices under paragraph (c) (5) apply to volume slipper heels produced in New York City."

5. Section 3 (c) is amended by adding to the headnote thereof the words "and volume slipper heels produced in New York City", and by adding subparagraph (5) to read as follows:

(5) Volume slipper heels produced in New York City.

Type	Price (per pair)
Hardwood—14½/8 inches and under—covered or lacquered.....	\$0.182
Synthetic hardwood—14½/8 inches and under—covered or lacquered.....	.093

The above maximum prices for lacquered heels apply to lacquered heels with one coat of filler and one coat of lacquer, or two coats of lacquer. To these maximum prices may be added \$.00833 per pair for each additional coat of lacquer applied.

6. Section 4 is amended by changing the words "hardwood heel blocks and finished hardwood heels" wherever they appear to read as follows: "hardwood heel blocks and finished hardwood and synthetic hardwood heels."

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4702; Filed, April 3, 1944;  
11:36 a. m.]

<sup>1</sup> 8 F.R. 9331, 9567, 15193.

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 114]

## CANE BLACKSTRAP MOLASSES AND BEET SUGAR FINAL MOLASSES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1.6 is hereby revoked.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4707; Filed, April 3, 1944;  
11:35 a. m.]

## PART 1499—COMMODITIES AND SERVICES

[MPR 165, as Amended,<sup>1</sup> Amdt. 36]

## NON-RETAIL SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

A new subparagraph is added to § 1499.114 (f) to read as follows:

(8) *Application by purchaser who buys services from numerous sellers.* Where the purchaser buys non-retail services from sellers too numerous to make recourse to other provisions of this paragraph (f) practicable, he may apply for an adjustment of the charges made to him by letter addressed to the Chief, Service Trades Branch, Office of Price Administration, Washington 25, D. C. Such letter should show that the facts set forth in subparagraph (1) (ii) of this paragraph exist; the general nature and extent of the sellers' cost increases; and, where practicable, the names and addresses of the sellers and the maximum prices of each. A price increase under this subparagraph may not become effective until the applicant is advised in writing of OPA approval, which will be given only where it is clear that there is no practicable recourse to other provisions of this paragraph (f) and where granting of such approval will not interfere with the price control program.

This amendment shall become effective April 8, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of April 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4698; Filed, April 3, 1944;  
11:38 a. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9973, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782, 5681, 6933, 6364, 8506, 8873, 10671, 10939, 11754, 12023.

TITLE 33—NAVIGATION AND NAVI-  
GABLE WATERSChapter III—Coast Guard: Inspection  
and NavigationPART 312—PILOT RULES FOR INLAND  
WATERS

## PILOT RULES

## Correction

In F.R. Doc. 44-4564, appearing on page 3515 of the issue for Saturday, April 1, 1944, the chapter heading should read as set forth above.

TITLE 38—PENSIONS, BONUSES, AND  
VETERANS' RELIEF

## Chapter I—Veterans' Administration

PART 3—ADJUDICATION: DISALLOWANCES  
AND AWARDS

## APPORTIONMENT

§ 3.1312 *Apportionment not authorized.* No apportionment will be authorized:

\* \* \* \* \*

(g) Of any amount in excess of the rate for total disability or of the additional amount authorized by the last paragraph of section 202 (3), or section 202 (5), World War Veterans' Act, 1924, as amended, or the additional amount payable under § 35.011 (b) (11), § 35.012 (b) (11) of this chapter. Where pension is being paid under Public No. 323, 71st Congress (act of June 9, 1930), no amount in excess of \$75.00 monthly will be subject to apportionment, where pension is being paid under Public No. 541, 75th Congress, no amount in excess of \$60.00 monthly will be subject to apportionment, and where pension is being paid on or after April 1, 1944, under Public No. 242, 78th Congress, no amount in excess of \$75.00 monthly will be subject to apportionment. (March 1, 1944) (Pub. Law 242, 78th Cong.)

PART 4—ADJUDICATION: VETERANS'  
CLAIMSAWARDS, AMENDMENTS, AND  
DISCONTINUANCES

§ 4.2108 *Rates.* Service pension is payable at rates as follows:

Disability	Act. June 5, 1920, 90 days service	Act. May 1, 1926, 90 days service or dis- ability discharge	Act. June 2, 1930, 90 days service or dis- ability discharge	Act. June 2, 1930, 70 days service	Act. May 24, 1938, 60 days service or disability discharge	Act. Mar. 1, 1944, 90 days service or dis- ability discharge
1/10	\$12	\$20	\$20	\$12		
1/4	15	25	25	15		
1/2	18	30	35	18		
3/4	24	40	50	24		
Total	30	50	60	30		
Aid and attend- ance		72	72	50	\$100	
<i>Age</i>						
62	12	20	30	12		
65					60	75
68	18	30	40	18		
72	24	40	50	24		
75	30	50	60	30		

The foregoing rates are subject to the provisions of § 3.1255. Where a veteran is furnished hospital treatment, institutional or domiciliary care by the United States or a political subdivision thereof and is furnished with nursing or attendant's service, the award of pension will be the amount authorized by the rating decision or the attainment of beneficial age, exclusive of any additional amount on account of the need of regular aid and attendance. This rate of pension in such instances will be effective as of the beginning of the maintenance of the disabled veteran in an institution by the United States or a political subdivision thereof. (March 1, 1944) (Pub. Law 242, 78th Cong.)

§ 4.2109 *Indian Wars.* Pension or increased pension pursuant to the Act of March 3, 1927, as amended by Public No. 245, 78th Congress, shall commence from the date of claim therefor or the date of entitlement, whichever is the later. The rate for regular aid and attendance as to persons applying for pension after March 3, 1944, is payable from the date of inception of the requisite condition as shown by the evidence, but not earlier than the date of the original application for pension under Public No. 245, 78th Congress. (March 3, 1944) (Pub. Law 245, 78th Cong.)

§ 4.2110 *Rates.* Pension is payable at rates as follows:

Degree of disability	Rates prior to 9-1-37	Rates on and after 9-1-37	Rates from date of claim filed on or after 3-3-44 <sup>1</sup>
1/10	\$20	\$20	\$20
1/4	25	25	25
1/2	30	35	35
3/4	40	45	50
Total	50	55	60
Regular aid and attend- ance		72	100
<i>Age</i>			
62	20	25	30
65			
68	30	35	
72	40	45	
75	50	55	

<sup>1</sup> For effective date of rate for aid and attendance, see § 4.2109.

Subject to the provision that the rate for regular aid and attendance may not be allowed while the veteran is receiving such services in kind. The foregoing rates are subject to the provisions of § 3.1255. (March 3, 1944) (Pub. Law 245, 78th Cong.)

§ 4.2112 *Rates.* (a) Pension is payable at rates as follows:

Minimum rate	\$75
Helpless or blind or so nearly helpless or blind as to require the regular aid and attendance of another person	100

Where such disabled veteran does not have wife, child, nor dependent parent and is being furnished hospital treatment, institutional or domiciliary care by the United States Government or any political subdivision thereof, his pension

shall not exceed \$20.00 per month. Even where such veteran has dependents, the rate for regular aid and attendance may not be allowed while the veteran is receiving such services in kind.

(b) The rate for Army nurses, under the Act of August 5, 1892, as amended by the Act of July 3, 1926, is \$50.00 monthly. (April 4, 1944) (57 Stat. 554-560)

[SEAL]

FRANK T. HINES,  
Administrator.

[F. R. Doc. 44-4563; Filed, March 31, 1944;  
11:20 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 184, Amdt. 2]

#### PART 95—CAR SERVICE

##### REQUIREMENTS CONCERNING BILL OF LADING ON CERTAIN MEAT SHIPMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of March, A. D. 1944.

Upon further consideration of Service Order No. 184 (9 F.R. 2613) of March 3, 1944, as amended (9 F.R. 2924), and good cause appearing therefor: *It is ordered, That:*

Service Order No. 184 (9 F.R. 2613) of March 3, 1944, 49 CFR, § 95.333, as amended (9 F.R. 2924) be further amended by striking from the last ordering paragraph, as amended, the clause "That this order shall become effective at 7:00 a. m., April 3, 1944;" and by inserting in lieu thereof the following clause "That this order shall become effective 7:00 a. m., May 3, 1944;". (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17).)

*It is further ordered,* That this order shall become effective at 7:00 a. m., April 3, 1944; that copy of this order and direction shall be served upon each state railroad commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-4643; Filed, April 1, 1944;  
11:50 a. m.]

## Notices

### TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public Debt.

[1944 Dept. Circ. 738]

#### 2 1/4 PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES B

##### ELEVENTH CALL FOR PARTIAL REDEMPTION BEFORE MATURITY

MARCH 30, 1944.

I. *Notice of eleventh call for partial redemption, before maturity, of 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series B.* The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series B:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series B, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1944, on which date interest on such debentures shall cease:

Denomination:	Serial numbers
\$50	1,543 to 1,555
\$100	5,710 to 5,765
\$500	1,806 to 1,823
\$1,000	6,918 to 7,007
\$5,000	508 to 514

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1944, and provision will be made for the payment of final interest due July 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1944, to June 30, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. *Transactions in eleventh-called debentures.* 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1944, are hereby designated eleventh-called 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series B, and are hereinafter referred to as eleventh-called debentures.

2. Transfers and denominational exchanges in eleventh-called debentures will terminate at the close of business on March 31, 1944.

III. *Redemption or purchase.* 1. Holders of eleventh-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1944, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on eleventh-called debentures will cease on July 1, 1944.

2. Holders of eleventh-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1944, inclusive, for purchase at par and accrued interest, at the rate of \$0.075549 per \$1,000 per day from January 1, 1944, to date of purchase.

IV. *Rules and regulations governing redemption and purchase.* 1. The United States Treasury Department is the agent of the Federal Housing Commissioner for the redemption and purchase of eleventh-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase\* of eleventh-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Eleventh-called debentures presented for redemption on July 1, 1944, or for purchase from April 1 to June 30, 1944, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form PD 1920 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1944, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of \_\_\_\_\_."

inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any eleventh-called debentures, whether purchased prior to or redeemed on or after July 1, 1944, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. An eleventh-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1944, upon an appropriate assignment for that purpose on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1944, and in case of assignments for redemption on or after July 1, 1944, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of eleventh-called debentures on July 1, 1944, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1944. Such early presentation by holders will insure prompt payment of principal and interest when due.

Form PD 1920

Treasury Department  
Fiscal Service  
Bureau of the Public Debt

FORM OF ADVICE TO ACCOMPANY ELEVENTH-CALLED  
2 1/4 PERCENT MUTUAL MORTGAGE INSURANCE FUND  
DEBENTURES, SERIES B, PRESENTED FOR REDEMPTION  
ON JULY 1, 1944, OR FOR PURCHASE PRIOR TO  
THAT DATE

To the Federal Reserve Bank of \_\_\_\_\_ or Treasury Department, Division of Loans and Currency, Washington 25, D. C.:

Pursuant to the provisions of Treasury Department Circular No. 738, dated March 30, 1944, the undersigned presents and surrenders herewith for

(Indicate whether for immediate purchase or for redemption on July 1, 1944)  
\$\_\_\_\_\_, face amount of eleventh-called 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series B, registered in the name of \_\_\_\_\_ and duly assigned to "The Federal Housing Commissioner for \_\_\_\_\_," as follows:

Number of debentures	Denomination	Serial numbers of debentures	Face amount
	\$50		\$_____
	100		
	500		
	1,000		
	5,000		
Total.....			\$_____

and requests that remittance covering payment therefor be forwarded to the undersigned at the address indicated below.

Signature \_\_\_\_\_  
Name (please print) \_\_\_\_\_  
Address in full \_\_\_\_\_

Date \_\_\_\_\_

<sup>1</sup> Debentures presented for immediate purchase should be assigned to "The Federal Housing Commissioner for purchase"; debentures presented for redemption on July 1, 1944, should be assigned to "The Federal Housing Commissioner for redemption."

V. General provisions. 1. Any further information which may be desired regarding the redemption of eleventh-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of eleventh-called debentures.

[SEAL] D. W. BELL,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-4551; Filed, March 31, 1944;  
11:28 a. m.]

[1944 Dept. Circ. 739]

#### 2 1/4 PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E

#### SECOND CALL FOR PARTIAL REDEMPTION BEFORE MATURITY

MARCH 30, 1944.

I. Notice of second call for partial redemption, before maturity, of 2 1/4 percent Mutual Mortgage Insurance Fund

debentures, Series E. The Federal Housing Commissioner, with the approval of the Secretary of the Treasury, has issued the following notice of call for partial redemption and offer to purchase with respect to 2 1/4 percent Mutual Mortgage Insurance Fund Debentures, Series E:

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series E, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1944, on which date interest on such debentures shall cease:

Denomination:	Serial numbers (all numbers inclusive)
\$50	16 to 21
\$100	67 to 83
\$500	17 to 20
\$1,000	79 to 96
\$5,000	5

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1944. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1944, and provision will be made for the payment of final interest due July 1, 1944, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1944, to June 30, 1944, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1944, or for purchase prior to that date will be given by the Secretary of the Treasury.

II. Transaction in second-called debentures. 1. The debentures included in the foregoing notice of call for partial redemption on July 1, 1944, are hereby designated second-called 2 1/4 percent Mutual Mortgage Insurance Fund debentures, Series E, and are hereinafter referred to as second-called debentures.

2. Transfers and denominational exchanges in second-called debentures will terminate at the close of business on March 31, 1944.

III. Redemption or purchase. 1. Holders of second-called debentures will be entitled to have such debentures redeemed and paid at par on July 1, 1944, with interest in full to that date, at the rate of \$13.75 per \$1,000. Interest on second-called debentures will cease on July 1, 1944.

2. Holders of second-called debentures have the privilege of presenting such debentures at any time from April 1 to June 30, 1944, inclusive, for purchase at par and accrued interest, at the rate of \$0.075549 per \$1,000 per day from January 1, 1944, to date of purchase.

IV. Rules and regulations governing redemption and purchase. 1. The United States Treasury Department is the agent of the Federal Housing Commission in

## FEDERAL REGISTER, Tuesday, April 4, 1944

for the redemption and purchase of second-called debentures. In accordance with regulations adopted by the Federal Housing Commissioner and approved by the Secretary of the Treasury, the assignment, redemption, and purchase of second-called debentures will be governed by the general regulations of the Treasury Department with respect to United States bonds and notes, so far as applicable, except as otherwise provided herein.

2. Second-called debentures presented for redemption on July 1, 1944, or for purchase from April 1 to June 30, 1944, inclusive, must be assigned by the registered payee or assignee thereof or by their duly constituted representatives in the form indicated in paragraph 3 hereof, and should thereafter be presented and surrendered to any Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., accompanied by appropriate written advice. (Use Form FD 1921 attached hereto.) The debentures must be delivered at the expense and risk of the holders. (See paragraph 8 of this section.) In all cases checks in payment of principal and final interest will be mailed to the address given in the form of advice accompanying the debentures when surrendered.

3. If the registered payee or an assignee holding under proper assignment from the registered payee desires that payment be made to him, the debentures should be assigned by such payee or assignee or by a duly constituted representative to "The Federal Housing Commissioner for redemption" or to "The Federal Housing Commissioner for purchase," according to whether the debentures are to be presented for redemption on July 1, 1944, or for purchase prior to that date. If it is desired for any reason that payment be made to some other person without intermediate assignment, the debentures should be assigned to "The Federal Housing Commissioner for redemption (or purchase) for the account of \_\_\_\_\_," inserting the name and address of the person to whom payment is to be made.

4. An assignment in blank or other assignment having similar effect will be recognized, but in that event payment will be made to the person surrendering the debenture for redemption or purchase since, under such an assignment, the debenture becomes in effect payable to bearer. Assignments in blank or assignments having similar effect should be avoided, if possible, in order not to lose the protection afforded by registration.

5. Final interest on any second-called debentures, whether purchased prior to or redeemed on or after July 1, 1944, will be paid with the principal in accordance with the assignments on the debentures surrendered.

6. All assignments must be made on the debentures themselves unless otherwise directed by the Treasury Department. Detached assignments will be recognized and accepted in any particular case in which the use of detached assignments is specifically authorized by the Treasury Department. Any assignment not made upon the debenture is considered a detached assignment.

7. A second-called debenture registered in the name of, or assigned to, a corporation, will be paid to such corporation on or after July 1, 1944, upon an appropriate assignment for that purpose executed on behalf of the corporation by a duly authorized officer thereof. An assignment so executed and duly attested in accordance with Treasury Department regulations will ordinarily be accepted without proof of the officer's authority. In all cases coming under this provision payment will be made only by check drawn to the order of the corporation. Proof of the authority of the officer assigning on behalf of a corporation will be required, in accordance with the general regulations of the Treasury Department, in the case of assignments for purchase prior to July 1, 1944, and in case of assignments for redemption on or after July 1, 1944, for the account of any person other than the corporation.

8. Debentures presented for redemption or purchase under this circular must be delivered to a Federal Reserve Bank or to the Division of Loans and Currency, Treasury Department, Washington 25, D. C., at the expense and risk of the holder. Debentures bearing restricted assignments may be forwarded by registered mail, but debentures bearing unrestricted assignments should be forwarded by registered mail insured or by express prepaid.

9. In order to facilitate the redemption of second-called debentures on July 1, 1944, any such debenture may be presented and surrendered in the manner herein prescribed in advance of that date but not before June 1, 1944. Such early presentation by holders will insure prompt payment of principal and interest when due.

Form PD 1921  
Treasury Department  
Fiscal Service

Bureau of the Public Debt

FORM OF ADVICE TO ACCOMPANY SECOND-CALLED 23½ PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES E, PRESENTED FOR REDEMPTION ON JULY 1, 1944, OR FOR PURCHASE PRIOR TO THAT DATE

To the Federal Reserve Bank of \_\_\_\_\_  
or Treasury Department, Division of Loans and Currency, Washington 25, D. C.:

Pursuant to the provisions of Treasury Department Circular No. 739, dated March 30, 1944, the undersigned presents and surrenders herewith for \_\_\_\_\_

(Indicate whether for immediate purchase or for redemption on July 1, 1944)  
\$ \_\_\_\_\_, face amount of second-called 23½ percent Mutual Mortgage Insurance Fund debentures, Series E, registered in the name of \_\_\_\_\_, and duly assigned to "The Federal Housing Commissioner for \_\_\_\_\_," as follows:

Number of debentures	Denomination	Serial numbers of debentures	Face amount
	\$50		\$
	100		
	500		
	1,000		
	5,000		
Total.....			\$.....

and requests that remittance covering payment therefor be forwarded to the undersigned at the address indicated below.

Signature \_\_\_\_\_  
Name (please print) \_\_\_\_\_  
Address in full \_\_\_\_\_

Date \_\_\_\_\_

<sup>1</sup> Debentures presented for immediate purchase should be assigned to "The Federal Housing Commissioner for purchase"; debentures presented for redemption on July 1, 1944, should be assigned to "The Federal Housing Commissioner for redemption."

V. General provisions. 1. Any further information which may be desired regarding the redemption of second-called debentures under this circular may be obtained from any Federal Reserve Bank or from the Division of Loans and Currency, Treasury Department, Washington 25, D. C., where copies of the Treasury Department's regulations governing assignments may be obtained.

2. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to perform any necessary acts under this circular. The Secretary of the Treasury may at any time or from time to time prescribe supplemental and amendatory rules and regulations governing the matters covered by this circular, which will be communicated promptly to the registered owners of second-called debentures.

[SEAL] D. W. BELL,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-4552; Filed, March 31, 1944;  
11:27 a. m.]

## DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[A. O. 815]

## ALLOCATION OF FUNDS FOR LOANS

MARCH 22, 1944.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Iowa 4-3026C2 Shelby	\$50,000
Minnesota 4-3085A3 Todd	80,000
North Carolina 4-2036B3 Randolph	25,000
Oklahoma 4-2018C1 Beckham	140,000
Oklahoma 4-2020B2 Garvin	60,000
South Carolina 4-3031A3 Horry	25,000
Wisconsin 4-3043E3 Grant	50,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 44-4602; Filed, March 31, 1944;  
3:17 p. m.]

## DEPARTMENT OF LABOR.

Wage and Hour Division.

[A. O. 335]

ST. THOMAS, ST. JOHN, AND ST. CROIX MUNICIPALITIES, VIRGIN ISLANDS

## NOTICE OF POSTPONEMENT OF MEETINGS OF SPECIAL INDUSTRY COMMITTEES

Whereas, pursuant to Administrative Orders Nos. 228 and 229 issued on March 4, 1944 and published in the FEDERAL REGISTER on March 9, 1944, special industry committees were appointed and convened for the municipality of Saint Thomas and St. John and for the municipality of Saint Croix, Virgin Islands, and

Whereas, such committees were authorized to investigate conditions in the industries in the above-mentioned municipalities, in such order as the committees may elect, and recommend to the

Administrator minimum wage rates for all employees in the limits of such municipalities who within the meaning of the Fair Labor Standards Act are "engaged in commerce or in the production of goods for commerce," excepting employees exempted by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14, and

Whereas, it is deemed advisable to postpone the dates of such meetings,

Now, therefore, pursuant to § 511.4 of Regulations, Part 511 (Regulations Applicable to Industry Committees), notice is hereby given that the aforementioned meetings, originally set for April 4 and 12, 1944, are hereby postponed to such dates and places, in lieu of the dates and places fixed in Administrative Orders Nos. 228 and 229, as shall be determined by the chairman of the respective committees.

Notice of such orders convening the industry committees will be given by publication in the Federal Register.

Signed at New York this 1st day of April 1944.

L. METCALFE WALLING,  
Administrator.

[F. R. Doc. 44-4711; Filed, April 3, 1944;  
11:48 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the act are issued under section 14 thereof and § 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the date specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificate. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Anundsen Publishing Company, 108 Washington Street, Decorah, Iowa; printing;

2 learners (T); printer, pressman for a learning period of 480 hours at 30 cents per hour; effective March 27, 1944, expiring September 27, 1944.

Navajo Weavers, Albuquerque, New Mexico; men's hand woven neckwear; 9 learners (T); weaving, hand sewing, machine sewing and pressing for a learning period of 160 hours at 30 cents per hour; effective March 31, 1944, expiring September 30, 1944.

Signed at New York, New York, this 1st day of April 1944.

MERLE D. VINCENT,  
Authorized Representative,  
of the Administrator.

[F. R. Doc. 44-4713; Filed, April 3, 1944;  
11:48 a. m.]

#### LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act are issued under section 14 thereof. Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862; and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591) as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748) and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms

and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates, may seek a review or reconsideration thereof.

#### NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

#### SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

M. M. Bernstein & Sons, 213 N. Broad Street, Philipsburg, New Jersey; ladies' underwear; 10 percent (T); effective March 30, 1944, expiring March 29, 1945.

Beverly Frocks, 108-10 East 22nd Street, Chicago Heights, Illinois; wash dresses; 10 learners (T); effective March 28, 1944, expiring March 27, 1945.

Blackman-Hazzard Company, Cortland Street, Homer, New York; kiddies' wear; 10 learners (T); effective March 30, 1944, expiring March 29, 1945.

Excelsior Manufacturing Corporation, 12 Pine Grove Avenue, Kingston, New York; dresses; 10 percent (T); effective March 30, 1944, expiring March 29, 1945.

Judy Anne Frocks, Inc., 110 North Fifth Street, Minneapolis, Minnesota; dresses, sportswear; 5 learners (T); effective March 30, 1944, expiring March 29, 1945.

A. F. Keating Company, Inc., 306 N. Franklin Street, Decatur, Illinois; junior dresses; 10 percent (T); effective March 31, 1944, expiring March 30, 1945.

S. Liebovitz & Sons, Inc., Donaldson, Pennsylvania; men's dress and sport shirts; 10 learners (T); effective March 20, 1944, expiring March 29, 1945.

Manheim Manufacturing Company, 35 So. Spring Street, Elizabeth, New Jersey; blouses; 10 learners (T); effective March 28, 1944, expiring March 27, 1945.

Manistee Garment Company, 77 Hancock Street, Manistee, Michigan; essential junior dresses; 10 percent (T); effective March 30, 1944, expiring September 29, 1944.

Martin Manufacturing Company, Lindell Street, Martin, Tennessee; cotton work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Lawrenceburg, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Pine Street, Lexington, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Obion, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

Salant & Salant, Inc., Washington Street, Paris, Tennessee; work shirts; 10 percent (T); effective April 1, 1944, expiring June 30, 1944.

#### HOSIERY INDUSTRY

Crescent Hosiery Mills, Niota, Tennessee; seamless hosiery; 5 percent (T); effective March 28, 1944, expiring March 27, 1945.

#### TEXTILE INDUSTRY

The Clark Thread Company of Georgia—Pelham Mill, Pelham, Georgia; sewing thread;

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75 learners (E); effective March 29, 1944, expiring September 28, 1944.

Signed at New York, N. Y., this 1st day of April 1944.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 44-4712; Filed, April 3, 1944;  
11:48 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 153]

RECONSIGNMENT OF POTATOES AT CHICAGO,  
ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, March 28 or 29, 1944, by E. H. Anderson Company of the following cars, all containing potatoes, now on the Pere Marquette Railway, as follows:

Car FGE 22501 to Atlanta, Georgia.  
Car FGE 19316 to Fort Benning, Georgia.  
Car MDT 19419 to Fort Benning, Georgia.  
Car WFE 62477 to Fort Jackson, South Carolina.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4545; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 164, 4th Amended Gen. Permit 10]

## REICING OF CITRUS FRUITS AT POINTS IN SOUTH CAROLINA, NORTH CAROLINA, GEORGIA, FLORIDA, AND ALABAMA

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.323, 8 F.R. 15491) of Service Order No. 164 of November 10,

1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To receive once in transit to full bunker capacity at a regular icing station enroute but not beyond Florence, South Carolina, Aberdeen, North Carolina, Spencer, North Carolina, Augusta, Georgia, Atlanta, Georgia, Pensacola, Florida, Montgomery, Alabama, or Birmingham, Alabama, after the first or initial icing at an icing station in the State of Florida, any refrigerator car or cars loaded with citrus fruits, originating at points in the State of Florida.

The waybills shall show reference to this general permit.

This permit shall become effective at 12:01 a. m., April 1, 1944, and shall expire at 12:01 a. m., May 1, 1944.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4546; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 174, General Permit 1]

TRANSPORTATION OF GRAIN TO FORT WORTH,  
TEX., ETC.

Pursuant to the authority vested in me by paragraph (d) of the first ordering paragraph (§ 95.327, 9 F.R. 404) of Service Order No. 174 of January 7, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of subparagraph (1) under paragraph (a) of Service Order No. 174 insofar as it applies to the acceptance for transportation, transportation or movement of carload shipments of grain, grain products, grain by-products or seeds consigned to a "notify" party or to an "advise" party located at one point in any of the following named groups when the billed destination is another point within the same group.

Fort Worth, Texas group includes: Fort Worth and Mara, Texas.

Chicago, Illinois group includes: Chicago, Illinois and points in the Chicago, Illinois switching district as defined in Illinois Freight Association Freight Tariff No. 20-W, Agent R. G. Raasch's I. C. C. No. 442.

Omaha, Nebraska group includes: Omaha and South Omaha, Nebraska; Council Bluffs, Iowa.

Peoria, Illinois group includes: Peoria and Pekin, Illinois.

St. Joseph, Missouri group includes: St. Joseph and South St. Joseph, Missouri; Elwood, Kansas.

Minneapolis-St. Paul, Minnesota group includes: Brooklyn Center, Camden Place, Columbia Heights, Crystal, Edna, Ft. Snelling, Fridley, Golden Valley, Hopkins, Inver Grove, McCarron's Lake, Mendota, Minneapolis, New Brighton, Newport, North St. Paul, Richfield, Robbinsdale, St. Louis Park, St. Paul, Savage, South St. Paul, State Fair Grounds and West St. Paul, Minnesota.

Duluth, Minnesota group includes: Duluth, Minnesota; Superior, Wisconsin.

Kansas City, Missouri group includes: Kansas City, Kansas; Kansas City and Independence, Missouri.

Los Angeles, California group includes: Alhambra, Hynes, Long Beach, Los Angeles, Los Angeles Harbor and Van Nuys, California.

San Diego, California group includes: Chula Vista, National City, San Diego and Santee, California.

St. Louis, Missouri group includes: East St. Louis, Illinois; St. Louis, Missouri.

Houston, Texas group includes: Camp Logan, Clinton, Fidelity, Harrisburg, Houston, Pasadena, Rambler and Street Spur, Texas.

This general permit shall become effective at 12:01 a. m., April 3, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4547; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 178, 2d Amended Special Permit 3]

LOADING OF FATS AND OILS AT COLUMBUS,  
OHIO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of not to exceed five (5) refrigerator cars per day with lard substitutes, vegetable oil shortening, or cooking and salad oil by the Capital City Products Company, Columbus, Ohio, destined to points in the States of Maine, New Hampshire, Vermont, Massachusetts,

sets, Rhode Island, Connecticut, New York, New Jersey, or Pennsylvania, and the movement of not over five (5) refrigerator cars per day when so loaded by the Capital City Products Company, from Columbus, Ohio, to destinations in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, or Pennsylvania.

The waybills shall show reference to this special permit.

This permit shall expire at 12:01 a. m., April 15, 1944.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4548; Filed, March 31, 1944;  
11:15 a. m.]

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4549; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 178, Special Permit 96]

#### LOADING OF LARD AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of one refrigerator car with lard by Armour and Company at Chicago, Illinois, and the movement under refrigeration of the one car so loaded from that point not later than April 1, 1944, to Tampa, Florida, for export to Cuba. (C. J.-I. C.-C. of G.-S. A. L.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4550; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 178, Special Permit 97]

#### LOADING OF SHORTENING AT MEMPHIS, TENN.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading of two refrigerator cars with shortening by The Humko Company at Memphis, Tennessee, and the movement from that point of the two cars so loaded, one to Pittsburgh, Pennsylvania, March 28, 1944, and one to Buffalo, New York, March 29, 1944. (Mo. Pac.)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4554; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 187, Amended Gen. Permit 1]

#### TRANSPORTATION OF POTATOES FROM COLORADO, NEBRASKA AND WYOMING

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of Colorado, Nebraska and Wyoming, consigned to washing plants located at Center, Del Norte, La Jara or Monte Vista, Colorado; Alliance, Bayard, Clouse, Gering, Haig, Hemingford, Kimball, Lyman, Minatare, Mitchell, Morrill, Scottsbluff, Sidney or South Michel, Nebraska; Huntley, Lingle, Pine Bluffs, Riverton, South Torrington or Torrington, Wyoming; for washing, sorting and grading purposes, only, provided the bill of lading carries a certification by the shipper that the shipment is intended for washing, sorting, and grading purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4555; Filed, March 31, 1944;  
11:15 a. m.]

[S. O. 187, Amended Gen. Permit 2]

#### TRANSPORTATION OF POTATOES FROM DESIGNATED WESTERN STATES

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944,

## FEDERAL REGISTER, Tuesday, April 4, 1944

permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of any refrigerator car loaded with potatoes, other than sweet, of any grade, from origins in the States of California, Colorado, Idaho, Montana, Nebraska, Nevada, Oregon, Utah, Washington or Wyoming, consigned to dehydrating plants located at Bakersfield, Campbell, Healdsburg or San Jose, California; Burley, Caldwell, Emmett, Idaho Falls, Jerome, New Plymouth or Payette, Idaho; Sioux City, Iowa; Mitchell or Scottsbluff, Nebraska; Dallas or Salem, Oregon; or Olympia, Washington; for dehydration purposes only: *Provided*, The bill of lading carries a certification by the shipper that the shipment is intended for dehydration purposes only.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4556; Filed, March 31, 1944;  
11:16 a. m.]

[S. O. 187, Special Permit 5]

TRANSPORTATION OF POTATOES FROM  
HENRY, NEBR.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the acceptance for transportation and movement of car SFRD 25398, loaded with Triumph selected seed size B potatoes, shipped by C. J. Cosand, from Henry, Nebraska, March 30 or 31, 1944, consigned to Ray Howard, Hammett, Idaho. (C. B. & Q. to Cheyenne—U. P.)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by fil-

ing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4558; Filed, March 31, 1944;  
11:16 a. m.]

[S. O. 187, Special Permit 4]

LOADING OF POTATOES AT GRAND FORKS,  
N. DAK.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph (§ 95.335, 9 F.R. 2949) of Service Order No. 187 of March 16, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 187 insofar as it applies to the loading of five refrigerator cars with potatoes, other than sweet, grading below U. S. Commercial or below eighty percent (80%) U. S. No. 1 quality, by Wilensky and Company at Kedney Warehouse at Grand Forks, North Dakota, on the Great Northern Railroad, and the movement of the five refrigerator cars so loaded from that point not later than April 15, 1944, consigned to Wilensky and Company at Joliet, Illinois. (G. N.-M. & St. L.-Alton)

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of March 1944.

HOMER C. KING,  
Director,  
Bureau of Service.

[F. R. Doc. 44-4557; Filed, March 31, 1944;  
11:16 a. m.]

[S. O. 192-A]

UNLOADING OF COAL AT VAN NEST, N. Y.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of March, A. D. 1944.

Upon further consideration of Service Order No. 192 of March 28, 1944, and good cause appearing therefor: *It is ordered*, That:

Service Order No. 192 of March 28, 1944 (9 F.R. 3521), ordering the unloading of bituminous coal at Van Nest, New York, be, and it is hereby, vacated and

set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered*, That this order shall become effective immediately; that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis and Henry B. Sawyer, Trustees) and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-4614; Filed, April 1, 1944;  
11:50 a. m.]

[S.O. 186-A]

UNLOADING OF BITUMINOUS COAL AT CERTAIN POINTS IN NEW YORK AND NEW JERSEY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of April, A. D. 1944.

Upon further consideration of Service Order No. 186 of March 13, 1944, and good cause appearing therefor: *It is ordered*, That: Service Order No. 186 of March 13, 1944, ordering the unloading of cars of bituminous coal at Van Nest and Brooklyn, New York; Juanita Scales, South Amboy, and Port Reading, New Jersey; be, and it is hereby, vacated and set aside. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered*, That this order shall become effective immediately; that a copy of this order and direction shall be served upon The New York, New Haven and Hartford Railroad Company (Howard S. Palmer, James Lee Loomis, and Henry B. Sawyer, Trustees), The Pennsylvania Railroad Company, the Reading Company, and the South Brooklyn Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-4685; Filed, April 3, 1944;  
11:14 a. m.]

## OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 139, Amdt. 1]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN POINTS IN NORTH CAROLINA

Upon consideration of an application for an order amending Supplementary Order ODT 3, Revised-139 (8 F.R. 17444), filed with the Office of Defense Transportation by Georgia Motor Express, Inc., Atlanta, Georgia, Smith's Transfer Corporation, Lenoir, North Carolina, Great Southern Trucking Company, Jacksonville, Florida, New South Express Lines, Inc., Columbia, South Carolina, The Mason & Dixon Lines, Incorporated, Kingsport, Tennessee, ET & WNC Transportation Company, Johnson City, Tennessee, Frederickson Motor Express Corporation, Charlotte, North Carolina, J. N. Youngblood, doing business as J. N. Youngblood Truck Lines, Fletcher, North Carolina, R. Frank Buckner, doing business as Buckner Transfer Co., and Nemiah Goldstein and Bernard Goldstein, doing business as Blue Ridge Trucking Company, both of Asheville, North Carolina; and of separate petitions filed by Atlantic States Motor Lines, Incorporated, High Point, North Carolina, and W. R. Candler, doing business as W. R. Candler Transfer Company, Asheville, North Carolina, and good cause appearing therefor; *It is hereby ordered*, That Supplementary Order ODT 3, Revised-139, be and it is hereby amended by adding thereto a new paragraph designated 4A, as follows:

4A. Any common carrier by motor vehicle duly authorized to engage in the transportation of property, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C., for authorization to participate in the functioning of the central dispatching office established pursuant to this Supplementary Order ODT 3, Revised-139, as amended. A copy of every such application shall be served upon the manager of the central dispatching office or other authorized representative of the participating carriers. Upon approval of the application, the carrier shall become subject to this order, as amended, and shall thereupon be entitled and required to participate in the functioning of the central dispatching office in accordance with all the provisions of this order, as amended, in the same manner and degree as the carriers named in Appendix 1 to the order.

and by adding in Appendixes 1 and 2 thereto, the following carriers:

Atlantic States Motor Lines, Incorporated, High Point, N. C.

W. R. Candler, doing business as W. R. Candler Transfer Company, Asheville, N. C.

This amendment shall become effective on April 1, 1944.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

[F. R. Doc. 44-4615; Filed, April 1, 1944;  
10:30 a. m.]

[Supp. Order ODT 3, Rev. 146, Corr.]

## COMMON CARRIERS

## COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO., AND LOUISVILLE, KY.

Supplementary Order ODT 3, Revised-146 (9 F.R. 316) is hereby corrected by deleting "Yellow Cab Transit Co., doing business as Yellow Transit Company" and substituting "Yellow Transit Co. (a corporation)," in the preamble thereof.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

[F. R. Doc. 44-4616; Filed, April 1, 1944;  
10:30 a. m.]

[Supp. Order ODT 6A-22]

## COMMON CARRIERS

## COORDINATED OPERATIONS IN CINCINNATI, OHIO, AREA

Coordinated operations within an area comprised of the City of Cincinnati, Ohio, and contiguous municipalities and surrounding suburbs.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 2757, 14582, 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

<sup>1</sup> Filed as part of the original document.

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or supplements to filed tariffs or schedules, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

## FEDERAL REGISTER, Tuesday, April 4, 1944

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-22" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

## APPENDIX 1

1. Thompson Express, 125 Ohio St., Ft. Thomas, Ky.
2. Dixon Express, 2375 Kemper Lane, Cincinnati, Ohio.
3. Fischer Bros., Express, 213 Melish Ave., Cincinnati, Ohio.
4. Saylor Park Express Co., 170 Monitor St., Saylor Park, Ohio.
5. George Eschruback Express, 2662 Edmondson Rd., Cincinnati, Ohio.
6. Schröder Express, 211 York St., Newport, Kentucky.
7. Thomas Rolstin, 5327 Crown Ave., Norwood, Ohio.
8. Schurbrook Express, 1751 Esmonde St., Cincinnati, Ohio.
9. Carl Eschruback Express, 5319 Stewart St., Cincinnati, Ohio.
10. Pearce Express, 1804 Sycamore St., Cincinnati, Ohio.
11. Veith's Express, 3505 Mozart Ave., Cincinnati, Ohio.
12. Porter's Motor Express, 32 Vine St., Cincinnati, Ohio.
13. Betscher Express, Orchard Drive, Mt. Washington, Ohio.
14. Meinking Suburban Express, 1702 West St., Cincinnati, Ohio.
15. Zembrod Express, 1218 Pike St., Covington, Kentucky.
16. Berndt Express, 7927 Hickman Ave., College Hill, Cincinnati, Ohio.
17. Husman Express Co., 651 Arlington Heights, Cincinnati, Ohio.

[F. R. Doc. 44-4617; Filed, April 1, 1944;  
10:30 a. m.]

[Supp. Order ODT 6A-23]

## COMMON CARRIERS

COORDINATED OPERATIONS IN GRAND RAPIDS,  
MICH., AREA

Coordinated operations within an area comprised of the City of Grand Rapids, Michigan, and adjacent suburbs.

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A (8 F.R. 8757, 14582, 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup>

and which shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 6A-23" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective April 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

## APPENDIX 1

1. Premier Motor Transportation Company, 523 W. Fulton Street, Grand Rapids, Mich.
2. Associated Truck Lines Inc., Uncrated Furniture Division, 30 Seward NW, Grand Rapids, Mich.

[F. R. Doc. 44-4618; Filed, April 1, 1944;  
10:31 a. m.]

[Supp. Order ODT 20A-85]

## CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN ASHLAND, WIS.,  
AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Ashland, Wisconsin, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, ma-

<sup>1</sup> Filed as part of the original document.

terials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Duluth, Minnesota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-85" and, unless otherwise directed, should be addressed to the

Division of Motor Transport, Office of Defense Transportation, Duluth, Minnesota.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C. this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

#### APPENDIX 1

Tony Seegar, d/b/a Seegars Cab Company, 602 Second Avenue West, Ashland, Wis.

Albert F. Bennett, d/b/a City Cab Company, 400 Second Street East, Ashland, Wis.

[F. R. Doc. 44-4620; Filed, April 1, 1944;  
10:31 a. m.]

[Supp. Order ODT 20A-86]

#### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN NORTH ADAMS, MASS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of North Adams, Massachusetts, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the grant-

ing of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Springfield, Massachusetts, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-86" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Springfield, Massachusetts.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

#### APPENDIX 1

Edwin J. Ames, 20 Franklin Street, North Adams, Mass.

Joseph Andrews, 20 Rand Street, North Adams, Mass.

Alderic Gamache, 150 Prospect Street, North Adams, Mass.

Francis Herrington, 20 Bank Street, North Adams, Mass.

Peter Horn, 475 Church Street, North Adams, Mass.

Archie H. Lavigne, 11 Sumit Avenue, North Adams, Mass.

Harvey Lavigne, 165 Kemp Avenue, North Adams, Mass.

<sup>1</sup> Filed as part of the original document.

## FEDERAL REGISTER, Tuesday, April 4, 1944

Thomas H. Marsh, 178 E. Quincy Street, North Adams, Mass.  
 Raymond W. McNine, 31 Main Street, North Adams, Mass.  
 Nelson Thibert, 28 State Street, North Adams, Mass.  
 Andrew J. Trottier, 3 Ballou Street, North Adams, Mass.

[F. R. Doc. 44-4620; Filed, April 1, 1944;  
 10:31 a. m.]

[Supp. Order ODT 20A-87]

**CERTAIN TAXICAB OPERATORS**

**COORDINATED OPERATIONS IN CLEVELAND,  
 OHIO, AREA**

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Cleveland, Ohio and between Cleveland, Ohio and East Cleveland, Ohio, the latter point named being located within ten miles of the corporate limits of the City of Cleveland, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, except that sections 1 (d) and 2 (c) are disapproved. The operators are directed to place the plan, in so far as approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such applica-

tion with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Cleveland, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-87" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Cleveland, Ohio.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
*Acting Director,*

*Office of Defense Transportation.*

**APPENDIX 1**

Yellow Cab Company of Cleveland, Inc.,  
 Cleveland, Ohio.

The Zone Cab Corporation, Cleveland, Ohio.  
 Mrs. Helen Smith, doing business as East Cleveland Cab Company or Service, East Cleveland, Ohio.

[F. R. Doc. 44-4621; Filed, April 1, 1944;  
 10:32 a. m.]

[Supp. Order ODT 20A-88]

**CERTAIN TAXICAB OPERATORS**

**COORDINATED OPERATIONS IN PORTLAND AND  
 SOUTH PORTLAND, MAINE, AREA**

Upon consideration of a plan for joint action filed with the Office of Defense

Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Portland and South Portland, Maine, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war. *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the

<sup>1</sup> Filed as part of the original document.

Division of Motor Transport, Office of Defense Transportation, Portland, Maine, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-88" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

APPENDIX 1

Alfred J. Smith, d/b/a Smith's Taxi, 221 Fore Street, Portland, Maine.

George J. Jacobson, d/b/a Prime Taxi, 109 Commercial Street, Portland, Maine.

Ernest J. McKenna, d/b/a Mac's Taxi, 125a High Street, Portland, Maine.

Philip J. Vanier, d/b/a Skee's Taxi, 26 Union Street, Portland, Maine.

Tony F. Sanson, d/b/a Tony's Taxi, 18 Casco Street, Portland, Maine.

Arthur I. Grossman, d/b/a Pine State Taxi, 17 Quincy Street, Portland, Maine.

[F. R. Doc. 44-4622; Filed, April 1, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-89]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN PORTLAND AND SOUTH PORTLAND, MAINE, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Portland and South Portland, Maine, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan

into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-89" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Portland, Maine.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

APPENDIX 1

Maine Taxi, Inc., 60 Payson Street, Portland, Maine.

Victory Taxi, Inc., 80 Sawyer Street, South Portland, Maine.

City Taxi, Inc., 60 Payson Street, Portland, Maine.

[F. R. Doc. 44-4623; Filed, April 1, 1944; 10:32 a. m.]

[Supp. Order ODT 20A-90]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN AUGUSTA, GA., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Augusta, Ga., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

<sup>1</sup> Filed as part of the original document.

## FEDERAL REGISTER, Tuesday, April 4, 1944

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Augusta, Georgia, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-90" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Augusta, Georgia.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April, 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

## APPENDIX 1

Overton-Green Taxicab Co., Augusta, Ga.  
Dixie Cab Company, Augusta, Ga.  
Richmond Taxi Service, Augusta, Ga.  
Red Bird Cab Company, Augusta, Ga.  
Graham Cab Company, Augusta, Ga.  
Joe's Taxi, Augusta, Ga.  
Garden City Taxi, Augusta, Ga.

[F. R. Doc. 44-4624; Filed, April 1, 1944;  
10:33 a. m.]

[Supp. Order ODT 20A-91]

## CERTAIN TAXICAB OPERATORS

## COORDINATED OPERATIONS IN MADISON, IND., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Madison, Indiana, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and

providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved with the exception of section 3 (f) thereof which is disapproved. The operators are directed to place the plan, to the extent approved, into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Louisville, Kentucky, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-91" and, unless otherwise di-

rected, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

## APPENDIX 1

Lola Newman, 907 West Main Street, Madison, Ind.

Louis Yungman, d/b/a Central Taxi, 107 East Second Street, Madison, Ind.

Bernard Heilman, 1001 Park Avenue, Madison, Ind.

Eddie's Taxi Service, 319 West Main Street, Madison, Ind.

[F. R. Doc. 44-4625; Filed, April 1, 1944;  
10:33 a. m.]

[Supp. Order ODT 20A-92]

## CERTAIN TAXICAB OPERATORS

## COORDINATED OPERATIONS IN MADISON, IND., AND CARROLLTON, KY., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Madison, Ind., and Carrollton, Ky., so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the

<sup>1</sup> Filed as part of the original document.

existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky., for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-92" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Louisville, Ky.

8. This order shall become effective April 8, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

#### APPENDIX 1

Roger Baker, d/b/a White Top Taxi, Carrollton, Ky.

Lola Newman, 907 West Main Street, Madison, Ind.

Louis Yungman, d/b/a Central Taxi, 107 East Second Street, Madison, Ind.

Bernard Heilman, 1001 Park Avenue, Madison, Ind.

Eddie's Taxi Service, 319 West Main Street, Madison, Ind.

[F. R. Doc. 44-4626; Filed, April 1, 1944;  
10:33 a. m.]

No. 67—10

[Supp. Order ODT 20A-94]

#### CERTAIN TAXICAB OPERATORS

#### COORDINATED OPERATIONS IN BISMARCK, AND MANDAN, N. DAK., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the areas of Bismarck, North Dakota and Mandan, North Dakota, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and prudently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

<sup>1</sup> Filed as part of the original document.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Bismarck, North Dakota, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-94" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Bismarck, North Dakota.

8. This order shall become effective April 1, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 1st day of April 1944.

C. D. YOUNG,  
Acting Director,  
Office of Defense Transportation.

#### APPENDIX 1

Economy Cab Company, Bismarck, N. Dak.  
Checker Cab Company, Bismarck, N. Dak.  
Home Cab Company, Mandan, N. Dak.

[F. R. Doc. 44-4649; Filed, April 1, 1944;  
2:39 p. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[IMPR 120, Order 664]

PEN-HIO CLAY CO.

#### AUTHORIZATION OF MAXIMUM PRICES

Order No. 664 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Establishing maximum prices for coals produced by Pen-Hio Clay Company.

For the reasons set forth in an opinion issued simultaneously herewith, in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

(a) The Boardman Mine operated by the Pen-Hio Clay Company, Mt. Jewett, Pennsylvania, is hereby assigned Mine Index No. 4009.

(b) Coals produced by the Pen-Hio Clay Company, Mt. Jewett, Pennsylvania, at its Boardman Mine Index No. 4009, in District No. 4, for shipment by truck or wagon may be sold and purchased at prices not to exceed the following respective prices per ton f. o. b. the mine:

Size Groups: 1, \$3.85; 2, \$3.75; 3, \$3.60; 4, \$3.35; 5, \$3.30; 6, \$3.05; 7, \$2.70; 8, \$2.60.

## FEDERAL REGISTER, Tuesday, April 4, 1944

(c) This Order No. 664 may be revoked or amended by the Administrator at any time.

(d) Unless the context otherwise requires, the definitions set forth in § 1340.208 of Maximum Price Regulation No. 120, shall apply to the terms used herein.

This Order No. 664 shall become effective April 1, 1944.

(66 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 31st day of March 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-4607; Filed, March 31, 1944; 4:59 p. m.]

## [MPR 120; Order 665]

## A. D. CLARK COAL CO., ET AL.

## AUTHORIZATION OF MAXIMUM PRICES

Order No. 665 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Order establishing maximum prices and price classifications.

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices, for the indicated uses and shipments as set forth herein. All are in District No. 14. The location of each mine is given by county and state. Each producer is subject to all provisions of Maximum Price Regulation No. 120.

District No. 14: A. D. CLARK COAL CO., 1118 SOUTH GREENWOOD, FORT SMITH, ARK.; CLARK NO. 2 MINE, MINE INDEX NO. 1015, CAVANAL SEAM, LE FLORE COUNTY, OKLA.; PRODUCTION GROUP 8, STRIP MINE

## Size group Nos.

Price classification	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Rail shipments	\$5.40	\$5.45	\$5.45	\$5.45	\$5.45	\$4.90	\$4.45	\$3.90	\$2.10	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10
Truck shipments	5.40	5.35	5.40	5.40	5.40	4.90	4.85	4.85	2.40	2.40	2.40	2.40	2.40	2.40	2.40

DIAMOND COAL CO., FORT SMITH, ARK., DIAMOND COAL CO. MINE, MINE INDEX #1003, STIGLER SEAM, SEQUOIA COUNTY, OKLA.; PRODUCTION GROUP #6, STRIP MINE

## Size group Nos.

Price classification	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Rail shipments	\$5.40	\$5.45	\$5.45	\$5.45	\$5.45	\$4.90	\$4.45	\$3.90	\$2.10	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10
Truck shipments	5.40	5.35	5.40	5.40	5.40	4.90	4.85	4.85	2.40	2.40	2.40	2.40	2.40	2.40	2.40

S. E. EVANS CONSTRUCTION CO., INC., P. O. Box 903, FORT SMITH, ARK.; EVANS-MASSARD MINE, MINE INDEX #1010, LOWER HARTHORNE SEAM, SEBASTIAN COUNTY, ARK.; PRODUCTION GROUP #5, STRIP MINE

## Size group Nos.

Price classification	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Rail shipments	\$5.10	\$5.40	\$5.40	\$5.40	\$5.40	\$4.45	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10
Truck shipments	5.25	5.25	5.25	5.25	5.25	4.25	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40

F. R. Doc. 44-4608; Filed, March 31, 1944; 4:59 p. m.]

FORSGREN BROTHERS, P. O. Box 363, FORT SMITH, ARK.; FORSGREN BROTHERS STRIP PIT MINE, MINE INDEX #1016, JENNY LIND SEAM (HARTHORNE), SEBASTIAN COUNTY, ARK.; PRODUCTION GROUP #6, STRIP MINE

Size group Nos.

Price classification	4	6	7	8	9	10	11	12	13	14	15	16	17	18	
Rail shipments	\$5.40	\$5.45	\$5.45	\$5.45	\$5.45	\$5.10	\$4.90	\$4.45	\$3.90	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10
Truck shipments	5.40	5.40	5.40	5.40	5.40	4.90	4.90	4.90	2.40	2.40	2.40	2.40	2.40	2.40	2.40

District No. 14: Mt. VESTA COAL CO., 301 SOUTH TENTH ST., FORT SMITH, ARK.; STRIP MINE #1009, LOWER HARTHORNE SEAM, FRANKLIN COUNTY, ARK.; PRODUCTION GROUP #2, STRIP MINE

Size group Nos.

Price classification	4	6	7	8	9	10	11	12	13	14	15	16	17	18	
Rail shipments	\$5.35	\$5.90	\$5.90	\$5.90	\$5.90	\$5.30	\$4.90	\$4.45	\$3.90	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10	\$2.10
Truck shipments	5.35	5.85	5.85	5.85	5.85	5.60	5.20	4.95	3.25	2.60	2.60	2.60	2.60	2.60	2.60

RAMBO, L. L., CHARLESTON, ARK., L. RAMBO MINE, MINE INDEX #1018, SEAM: UPPER VEIN, FRANKLIN COUNTY, PRODUCTION GROUP #4, STRIP MINE

Size group Nos.

Price classification	4	6	7	8	9	10	11	12	13	14	15	16	17	18	
Rail shipments	\$5.00	\$4.45	\$4.45	\$4.45	\$4.45	\$3.90	\$3.40	\$3.40	\$3.40	\$3.40	\$3.40	\$3.40	\$3.40	\$3.40	\$3.40
Truck shipments	5.00	4.80	4.80	4.80	4.80	4.20	3.60	3.60	3.60	3.60	3.60	3.60	3.60	3.60	3.60

RAMSEY-WARNER COMPANY, 613 UNION LIFE BLDG., 212 CENTER ST., LITTLE ROCK, ARK.; JAMESTOWN MINE, MINE INDEX #1014, SPADEFIELD, JAMESTOWN SEAM, JOHNSON COUNTY, ARK.; PRODUCTION GROUP #1, STRIP MINE

Size group Nos.

Price classification	4	6	7	8	9	10	11	12	13	14	15	16	17	18	
Rail shipments	\$6.00	\$5.95	\$5.95	\$5.95	\$5.95	\$5.15	\$5.10	\$5.10	\$5.10	\$5.10	\$5.10	\$5.10	\$5.10	\$5.10	\$5.10
Truck shipments	5.90	5.95	5.95	5.95	5.95	5.20	5.95	5.95	5.95	5.95	5.95	5.95	5.95	5.95	5.95

Railroad locomotive fuel: For mines included in this order:  
Any size prepared coal, single or double-screened, straight mine run, and all resultants larger than 6" x 0... \$1.35  
All resultants larger than 2½" x 0 but not exceeding 6" x 0... \$1.10  
All resultants 2½" x 0 and smaller..... 2.20

This order shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9326, 8 F.R. 4681)  
Issued this 31st day of March 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

JAMES F. BROWNLEE,  
Acting Administrator.

**Regional and District Office Orders.**  
[Region I Supp. Order 2 Under RMPR 122,  
Amdt. 5]

**ORANGE DISC ANTHRACITE IN BOSTON REGION**

Amendment No. 5 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The following is added to the table in paragraph (a):

Kind and size	per net ton	Amount of addition		
		1/2 ton	1/4 ton	100 lbs.
Orange disc: Broken, egg, stove, chestnut, pea, buckwheat, and rice-----	\$0.25	\$0.15	\$0.05	None

2. The words "Orange disc" are inserted in subparagraph (2) of paragraph (d).

3. Subparagraph (15) is added to paragraph (d), to read as follows:

(15) "Orange disc" means that Pennsylvania anthracite which is produced and prepared by Payne Coal Company, Wilkes-Barre, Pennsylvania, at their Exeter Colliery and sold under the trade name "Orange disc anthracite", and which meets the quality and preparation standards established by Order No. 10 under Maximum Price Regulation No. 112.

This Amendment No. 5 shall become effective March 29, 1944.

(56 Stat. 23, 755; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-4596; Filed, March 31, 1944;  
12:16 p. m.]

[Region I Rev. Order G-10 Under RMPR 122]

**PREPARED BITUMINOUS COAL IN BOSTON REGION**

Revised Order No. G-10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Prepared bituminous coal.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by

§ 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Region I Order No. G-10 under Revised Maximum Price Regulation No. 122 is revised and amended and is hereby issued as Revised Order No. G-10, to read as follows:

(a) *Pricing rules established by this order.* This order specifies the manner in which dealers in Region I (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island and Connecticut) who are not subject to an area pricing order under § 1340.260 of Revised Maximum Price Regulation No. 122 which fixes specific maximum prices for prepared bituminous coal, and who cannot price prepared bituminous coal under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122, shall establish their maximum prices for such coal, and contains provisions for reporting prices determined hereunder. Any dealer who can price a particular prepared bituminous coal under said Rule 1 shall do so, and shall not use this Revised Order G-10 except for prepared bituminous coals which he cannot price under Rule 1.

(b) *Maximum prices for prepared bituminous coal which cannot be priced under Rule 1—(1) Dealers who have Rule 1 prices for one or more prepared bituminous coals.* Any dealer who delivered one or more kinds of prepared bituminous coal during December, 1941, and so can calculate a maximum price under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122 for prepared bituminous which is the same as that which he delivered during that month, shall price any prepared bituminous which is not the "same fuel" (as that term is defined in § 1340.255 (a) (3) of Revised Maximum Price Regulation No. 122) as one for which he has a Rule 1 price by the use of Rule 3 in § 1340.254 (b), and shall not use any of the other provisions of this order: *Provided, however,* That such a dealer may apply to the Regional Office for Region I for permission to use one of said other provisions and, in appropriate cases, such permission will be granted by letter.

(2) *Dealers who have no Rule 1 prices for any prepared bituminous coal.* Any dealer who did not deliver any prepared bituminous coal during December, 1941, and so has no maximum prices under Rule 1 in § 1340.254 (b) of Revised Maximum Price Regulation No. 122 and is not required to use the preceding subparagraph of this order, may elect to price prepared bituminous coal in either of the following ways:

*Option 1.* The maximum price shall be the sum of:

First. The per net ton cost to the dealer of the bituminous coal, f. o. b. supplier's shipping point;

Second. The actual transportation cost from supplier's shipping point to the dealer's yard, dock or other terminal facility (exclusive of any tax on such transportation); and

Third. The margin over delivered cost on the dealers similar sale of Pennsylvania anthracite coal most nearly like the sale of the bituminous coal for which a maximum price is being calculated hereunder, taking into account class of purchaser, method of delivery and terms of delivery.

*Provided, however,* That a dealer eligible for compensatory adjustment on bituminous coal under Revised Compensatory Adjustment Regulation No. 1 shall, in place of the item marked Second, substitute the lowest transportation cost he would have incurred during December, 1941, in bringing the bituminous coal to his terminal facility: *And provided further,* That when the bituminous coal is purchased f. o. b. truck and delivered directly to the purchaser, the item marked Second shall be eliminated and the price arrived at by adding items First and Third.

*Option 2.* If the coal is low volatile coal from Producing District 7, the maximum price shall be calculated in accordance with Option 1, except that the following specific amounts shall be substituted for the item marked First in Option 1:

Per net ton For pea or nut size, or any mixture thereof-----	\$3.50
For lump, egg or stove size, or any mix- ture thereof-----	4.10

*Provided, however,* That a dealer who obtains lump coal by screening or forking run of mine bituminous coal at his yard or dock so as to remove all coal smaller in size than 1 1/4" may price such lump coal under Option 2 by use of \$4.10 as item First, and the transportation cost of the run of mine coal as item Second, regardless of the option selected by said dealer for use in pricing bituminous coal which is screened at the mine.

The dealer shall evidence his election of either option 1 or option 2 by a letter to his State Office of the Office of Price Administration within five (5) days after his first purchase of prepared bituminous coal after the effective date of this order, in which letter the dealer shall specify that he did not deliver any prepared bituminous coal during December, 1941, and state which option he had elected. All purchases of prepared bituminous must thereafter be priced under that option, and the dealer may not change his election and use the other option without receiving permission in writing from the Regional Office for Region I. Any dealer who fails to evidence his election within the period specified, in the manner specified, shall be deemed to have elected option 1 and may not thereafter use option 2 without receiving such permission in writing. However, any dealer who has prepared bituminous coal on hand on the effective date of this order which he has priced under order G-10 may complete the sale of that particular coal at the price so established without prejudice to his right to elect either option 1 or option 2 as to coal subsequently received by him.

(c) *Pricing in certain special cases.* If the dealer does not himself handle Pennsylvania anthracite and so has no actual margin from his own experience for use under paragraph (b) hereof, he may nevertheless price hereunder. In such case, the margin to be used shall be determined as follows:

(1) If there is an area price order under § 1340.260 of Revised Maximum Price Regulation No. 122 which estab-

lishes specific maximum prices for the type of sale of Pennsylvania anthracite which is similar to the proposed sale of prepared bituminous the margin shall be that which the dealer would obtain were he to deal in Pennsylvania anthracite.

(2) If there is no such area price order in effect, the dealer shall apply by letter to his State Office of the Office of Price Administration, stating that he does not handle Pennsylvania anthracite and giving the name and address of his most closely competitive dealer of the same class who does handle it. The State Office will then notify the dealer by letter of the margin he may use.

(3) If no margin is available from an area price order, and the dealer cannot find a closely competitive dealer who handles Pennsylvania anthracite, the dealer shall apply to his State Office of the Office of Price Administration stating why he is unable to price under the other provisions of this order, and a margin for his use hereunder will be supplied by letter.

(d) *Records and reports.* (1) Every dealer who prices prepared bituminous coal under paragraph (b) of this order shall preserve all invoices and other records of his purchases of said coals, and shall keep a record of all sales showing the date, the name and address of the buyer (if known), the price charged and the coal sold. The record shall also separately state each service rendered and the charge made for it.

(2) Every dealer who prices prepared bituminous coal under subparagraph (1) of paragraph (b) of this order, under option 1 in subparagraph (2) of paragraph (b) or by the special use of option 2 which is permitted for lump coal obtained from run of mine, shall within ten days after he determines or redetermines any maximum price thereunder file a report with his State Office of the Office of Price Administration containing a description of the particular coal, the maximum price thereof to each class of purchaser to whom it is sold and a detailed showing of the method of computation of said maximum prices, including each item entering into such computation. Separate reports must be filed for each purchase which varies in mine price or transportation cost from any prepared bituminous previously reported by the dealer.

(3) Every dealer who prices prepared bituminous coal under option 2 in subparagraph (2) of paragraph (b) shall, at the same time that he files the notice of his election of said option 2, also file with his State office a statement listing (a) The amount of the item marked "Second" in option 2 on each of the prepared bituminous coals which he is currently receiving, describing said coals and listing the suppliers shipping point; and (b) the amounts of the margins which he is using as the item marked "Third", listed separately for each class of purchaser and for each of the two main classifications of prepared bituminous coal (i. e., pea or nut and stove or egg). There-

after, additional reports shall be filed by such dealer whenever the item marked "Second" changes as a result of purchases of prepared bituminous coal which have a different transportation cost from supplier's shipping point to dealer's yard than those originally reported; and whenever the anthracite margin which he uses changes for any reason. Said additional reports shall also describe the coals and specify the supplier's shipping point, and shall include a statement of the reasons for any change in the anthracite margin which the dealer is using.

(e) *Terms of sale and charges for services.* Terms of sale and charges for services shall be those applicable to the sale of the coal which is used as a basis for the determination of the margin to be used in calculating maximum prices under this order. When an anthracite margin is used, for example, the terms of sale and charges for services shall be those applicable to the sale of the anthracite, whether such anthracite is priced under Revised Maximum Price Regulation No. 122 itself or under an area price order under § 1340.260 thereof.

(f) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(g) *Definitions.* When used in this Revised Order G-10, the terms:

(1) "Prepared bituminous coal" means bituminous coal which has been prepared at the mine by passing over a screen or by double screening, and which has again been forked or screened at a dealer's yard for the removal of undersized coal, and shall, to the extent indicated by the terms of this order, include lump coal obtained by forking or screening run of mine bituminous coal.

(2) "Pea size" is double screened coal with a top size of  $\frac{3}{4}$ " and a bottom size smaller than  $\frac{3}{4}$ ".

(3) "Nut size" is double screened coal with a top size larger than  $\frac{3}{4}$ " but not over  $1\frac{1}{4}$ " and a bottom size smaller than  $1\frac{1}{4}$ ".

(4) "Stove size" is double screened coal with a top size larger than  $1\frac{1}{4}$ " but not exceeding 3" and a bottom size smaller than 3".

(5) "Egg size" is double screened coal with a top size larger than 3" and with no limit as to the bottom size.

(6) "Lump size" is single screened coal all of which passes over a screen with openings not less than  $1\frac{1}{4}$ " in size.

(7) A dealer's "State Office of the Office of Price Administration" shall mean the respective State offices in the case of dealers located in Maine, New Hampshire, Vermont, Rhode Island and Connecticut, and the Regional Office for Region I, Boston, Massachusetts, in the case of dealers located in Massachusetts.

(8) "Margin over delivered cost on the dealer's similar sale of Pennsylvania anthracite coal" shall mean the difference between (a) the dealer's maximum price of Pennsylvania anthracite of the most nearly similar size to the same class of purchaser, and (b) the total of (i) the dealer's supplier's maximum price for that anthracite (gross, before any cash or other discounts), and (ii) the actual transportation cost to the dealer's yard, dock or other terminal facility (net after compensatory adjustment if the dealer is eligible for compensatory adjustment on anthracite coal under Revised Compensatory Adjustment Regulation No. 1. In the case of prepared bituminous purchased f. o. b. truck at the yard of another dealer and delivered direct to the purchaser, the margin used shall be the margin available on anthracite which is so purchased and delivered. "Taking into account class of purchaser, method of delivery and terms of delivery" means, by way of illustration, that there shall be taken into consideration differences in maximum prices for sales of anthracite delivered to consumers, sold at the yard to consumers, and sold at the yard to other dealers, both equipped and unequipped; and differences in margins available on sales of anthracite purchased f. o. b. mine and received by rail or barge at the dealer's yard or dock, and on sales of anthracite purchased at the yard of another dealer and delivered to the consumer. In no case, however, shall the dealer use a margin available on a Pennsylvania anthracite coal which has a mine price higher than those set forth in § 1340.200 (a) (1) of Maximum Price Regulation No. 112, if that margin differs from his margin on anthracite which is priced under that section at the mines; nor shall he use any higher margin which is available on any separately named and priced anthracite which is priced under that section at the mines.

(9) Except as is otherwise specifically provided herein, and unless the context otherwise requires, the definitions set forth in §§ 1340.235 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Lower prices permitted.* Lower prices than those provided for herein may be charged, paid or offered.

(i) This order may be revoked, amended, or corrected at any time.

**NOTE:** The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-10 shall become effective April 10, 1944; *Provided, however,* That it shall become effective immediately as to any dealer who elects to price hereunder prior to said date.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of March 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-4507; Filed, March 31, 1944;  
12:16 a. m.]

(Region I Order G-10 Under RMPR 122,  
Amdt. 2]

#### BITUMINOUS COAL IN BOSTON REGION

Amendment No. 2 to Order No. G-10 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Bituminous coal sold to domestic consumers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, paragraph (c) of Order G-10 under Revised Maximum Price Regulation No. 122 is hereby amended to read as follows:

(c) This order shall expire on April 9, 1944.

This Amendment No. 2 to Order G-10 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

ELDON C. SHOUP,  
Regional Administrator.

[F. R. Doc. 44-4627; Filed, April 1, 1944;  
10:50 a. m.]

(Region II Rev. Order G-8 of RMPR 122)

#### PENNSYLVANIA ANTHRACITE IN BURLINGTON, CAMDEN, AND GLOUCESTER COUNTIES, N. J.

Revised Order No. G-8 under §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Burlington County, Camden County, and Gloucester County, State of New Jersey, Coal Area 1.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*—(1) *Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereunder called simply "anthracite") delivered to or at any point in the zones comprising State

of New Jersey—Coal Area I. That area consists of four zones, as follows:

Zone 1: Zone 1 includes the following portions of the State of New Jersey: All of Camden County north of Evesham Road; the City of Beverly, the Boroughs of Medford Lakes, Palmyra, Riverton, and the Townships of Cinnaminson, Chester, Mount Laurel, Evesham, Medford, Moorestown, Delran, Riverside, Delanco, Edgewater Park, Willingboro in Burlington County; the City of Woodbury, the Boroughs of Westville, Woodbury Heights, Wenonah, Paulsboro, and the Townships of West Deptford, Deptford, Greenwich and East Greenwich in Gloucester County.

Zone 2: Zone 2 includes the following portions of the State of New Jersey: The City of Bordentown, the Borough of Fieldsboro and the Townships of Bordentown and Chesterfield in Burlington County.

Zone 3: Zone 3 includes the following portions of the State of New Jersey: The City of Burlington, the Boroughs of Pemberton and Wrightstown and the Townships of Florence, Mansfield, Burlington, Westampton, Hainesport, Lumberton, Mount Holly, Southampton, Eastampton, Pemberton, Springfield, North Hanover, and New Hanover in Burlington County.

Zone 4: Zone 4 includes the following portions of the State of New Jersey: All of Camden County and all of Gloucester County not included in Zone 1, and all of Burlington County not included in Zones 1, 2, and 3. Geographically, Zone 4 covers all of Camden County south of Evesham Road; the Boroughs of Swedesboro, Pitman, Glaseboro, Clayton, Newfield, National Park, and the Townships of Logan, Woolwich, South Harrison, Harrison, Mantua, Washington, Monroe, Elk, and Franklin in Gloucester County; and the Townships of Shamong, Tabernacle, Woodland, Bass River and Washington in Burlington County.

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Zones 1, 2, 3 and 4 are set forth in Schedules I, II, III and IV, respectively.

(3) *To what sales this order applies.* If you are a dealer in anthracite you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Zones 1, 2, 3 and 4.

You shall determine the maximum price for "direct-delivery" sales, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone to which delivery is made, whether or not you are located in one of the four zones.

You shall determine your maximum price for a "yard" sale, as hereinafter defined, by reference to the appropriate schedule of this order covering the zone in which the purchaser takes physical possession or custody of the anthracite.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or  
(ii) Charging for any service which is not expressly requested by the buyer, or  
(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service higher than the Schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) *Use the schedule which covers your sale.* (Schedule I applies to sales on a "direct-delivery" basis, "yard sales", and "sales in 18 lb. paper bags" within Zone 1. You will find Schedule I in paragraph (d). In like manner, Schedules II, III, and IV apply to similar sales in Zones 2, 3 and 4 respectively. You will find Schedule II in paragraph (e), Schedule III in paragraph (f) and Schedule IV in paragraph (g).)

(2) Take the dollars-and-cents figure set forth in the applicable schedule, for the sizes and quantity you are selling.

(3) Deduct from that figure the amount of the discount which you are required to give, as specified in each schedule. Where a discount is required you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure derived from the preceding subparagraphs no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for in the schedules.

(5) If you deliver a fraction of a net ton, even less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and

the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I.* Schedule I establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 1. There is a separate table of prices for "direct-delivery" sales, "yard sales," and "sales of bagged coal."

(1) *Sales on a direct delivery basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net $\frac{1}{2}$ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than $\frac{1}{2}$ ton)
Broken, egg, stove, nut...	\$13.75	\$7.40	\$0.85
Pea...	12.20	6.60	.75
Buckwheat...	10.55	5.80	.65
Rice...	9.70	5.35	
Barley...	8.20	4.10	
Screenings...	3.95	2.00	

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

*Maximum Authorized Service Charges  
(Cents per Net Ton)*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than  $\frac{1}{2}$  ton)--- 50  
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than  $\frac{1}{2}$  ton). This charge shall be in addition to any charge for "carry" or "wheel"--- 50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of $\frac{1}{2}$ ton or more	Per 100 lbs., for 100 lbs. or more but less than $\frac{1}{2}$ ton	Per 50 lb. paper bag
Broken, egg, stove, nut...	\$12.25	\$0.80	\$0.42
Pea...	10.70	.70	.37
Buckwheat...	9.05	.60	
Rice...	8.20	.55	
Barley...	6.70		
Screenings...	2.20		

*Required discounts.* You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of  $\frac{1}{2}$  ton or more, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18-lb. paper bags" (maximum price per bag).*

Size	Deliv- ered at dealer's yard	Deliv- ered to retail stores	Sales to ulti- mate con- sumer
Nut...	\$0.13	\$0.15	\$0.17
Pea...	.11	.13	.15

(e) *Schedule II.* Schedule II establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 2. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net $\frac{1}{2}$ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than $\frac{1}{2}$ ton)
Broken, egg, stove, nut...	\$13.75	\$7.40	\$0.85
Pea...	12.45	6.75	.75
Buckwheat...	10.55	5.80	.65
Rice...	8.95	5.00	
Screenings...	3.95	2.00	

*Required discounts.* You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of \$1.00 per net ton and 50¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or

more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point. You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same 12-month period.

*Maximum Authorized Service Charges  
(Cents per Net Ton)*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than  $\frac{1}{2}$  ton)--- 50  
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than  $\frac{1}{2}$  ton). This charge shall be in addition to any charge for "carry" or "wheel"--- 50

(2) *Yard sales.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of $\frac{1}{2}$ ton or more	Per 100 lbs. for 100 lbs. or more but less than $\frac{1}{2}$ ton	Per 50 lb. paper bag
Broken, egg, stove, nut...	\$12.75	\$0.75	\$0.425
Pea...	11.45	.65	.375
Buckwheat...	9.55	.55	
Rice...	7.95		
Screenings...	2.20		

*Required discounts.* You shall deduct from the prices set forth in table (2) of this schedule, on sales and deliveries of all sizes except screenings in quantities of  $\frac{1}{2}$  ton or more, a discount of \$1.00 per net ton and 50¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) *"Sales in 18 lb. paper bags" (maximum price per bag).*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ulti- mate con- sumer
Nut...	\$0.13	\$0.15	\$0.17
Pea...	.11	.13	.15

(f) *Schedule III.* Schedule III establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 3. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "Direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net $\frac{1}{2}$ ton	Per 100 lbs. (for sales of 100 lbs. or more but less than $\frac{1}{2}$ ton)
Broken, egg, stove, nut...	\$13.25	\$7.15	\$0.85
Pea...	11.95	6.50	.75
Buckwheat...	10.05	5.55	
Rice...	8.45	4.75	
Screenings...	3.95	2.00	

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

*Maximum Authorized Service Charges  
(Cents per Net Ton)*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than $\frac{1}{2}$ ton)---	50
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than $\frac{1}{2}$ ton). This charge shall be in addition to any charge for "carry" or "wheel"---	50
(2) "Yard sales."	

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of $\frac{1}{2}$ ton or more	Per 100 lbs. (for sales of 100 lbs. or more, but less than $\frac{1}{2}$ ton)	Per 50-lb. paper bag
Broken, egg, stove, nut.	\$12.25	\$0.80	\$0.425
Pea.....	10.95	.70	.375
Buckwheat.....	9.05	.60	
Rice.....	7.45	.55	
Screenings.....	2.20		

**Required discounts.** You shall deduct from the prices set forth in table (2) of this schedule, on sale and deliveries of all sizes except screenings in quantities of  $\frac{1}{2}$  ton or more, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) "Sales in 18 lb. paper bags" (maximum price per bag).

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.13	\$0.15	\$0.17
Pea.....	.11	.13	.15

(g) **Schedule IV.** Schedule IV establishes specific maximum prices for certain sizes of anthracite, in certain specific quantities, delivered to or at any point within Zone 4. There is a separate table of prices for "direct-delivery" sales, "yard sales", and "sales of bagged coal."

(1) *Sales on a "Direct-delivery" basis.*

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net $\frac{1}{2}$ ton	For 100 lb. (for sales of 100 lb. or more, but less than $\frac{1}{2}$ ton)
Broken, egg, stove, nut.	\$14.00	\$7.50*	\$0.85
Pea.....	12.45	6.75	.75
Buckwheat.....	10.55	5.80	.65
Rice.....	9.20	5.10	
Screenings.....	3.95	2.00	

**Required discounts.** You shall deduct from the prices set forth in table (1) of this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the 50th ton, and continue to grant the discount on every subsequent delivery during the same twelve-month period.

*Maximum Authorized Service Charges  
(Cents per Net Ton)*

Special service rendered at the request of the purchaser:

"Carry" or "wheel" (except for sales amounting to less than $\frac{1}{2}$ ton)---	50
Carrying upstairs, for each floor above the ground floor (except for sales amounting to less than $\frac{1}{2}$ ton). This charge shall be in addition to any charge for "carry" or "wheel"---	50
(2) "Yard sales."	

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton, for sales of $\frac{1}{2}$ ton or more	Per 100 lb. (for sales of 100 lb. or more, but less than $\frac{1}{2}$ ton)	Per 50-lb. paper bag
Broken, egg, stove, nut.	\$12.50	\$0.80	\$0.425
Pea.....	10.95	.70	.375
Buckwheat.....	9.05	.60	
Rice.....	7.70	.55	
Screenings.....	2.20		

**Required discounts.** You shall deduct from the prices set forth in paragraph (a) (2) (1), on sales and deliveries of all sizes except screenings in quantities of  $\frac{1}{2}$  ton or more, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

(3) "Sales in 18 lb. paper bags" (maximum prices per bag).

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.13	\$0.15	\$0.17
Pea.....	.11	.13	.15

(h) **Commingling.** If you sell one size of anthracite, commingled with another size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale" or "sale in 18 lb. paper bags", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then and in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(i) **Ex Parte 148 freight rate increase.** Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(j) **Addition of increase in suppliers' maximum prices prohibited.** You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(k) **Taxes.** If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it

separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(l) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(n) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(o) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(p) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the net price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(q) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable Schedule or Schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the

authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(r) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Camden District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(s) *Definitions and explanations.* When used in this Order No. G8, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and delivery, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) The sizes of "Pennsylvania anthracite" described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New Jersey—Coal Area 1 with such designation during December 1941.

(6) "Coal Area 1" includes the following portions of the State of New Jersey: Burlington County, Camden County and Gloucester County.

(7) "Direct delivery", except with respect to sales in 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle, or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall

mean depositing in buyer's bin or other storage space designated by buyer.

(8) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from the seller's truck in the course of "direct delivery".

(9) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(10) "Delivered at dealer's yard" as applied to sales of bagged coal in 18 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(11) "Delivered to retail stores" as applied to sales of bagged coal in 18 lb. paper bags, means deposit in that part of the store designated by the purchaser.

(12) "Sales to ultimate consumer" as applied to bagged coal in 18 lb. paper bags, means sales by dealers, other than sales at a dealer's yard whether or not delivered to the consumer's premises.

(13) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(t) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(u) *Effect of order on Order No. G-8 as originally issued and on Order No. G-23.* Order No. G-8 under Revised Maximum Price Regulation No. 122, as issued on July 21, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23, issued under that Regulation on November 24, 1943, to the extent that Order No. G-23 is applicable to Order No. G-8.

**NOTE:** The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

**Effective date.** This order shall become effective December 8th, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 7th day of December 1943.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4599; Filed, March 31, 1944;  
12:17 p. m.]

[Region II Rev. Order G-14 under RMPR 122]  
**PENNSYLVANIA ANTHRACITE IN RICHMOND COUNTY, N. Y.**

Revised Order No. G-14 under §§ 1340-260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid

fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Richmond County, (Borough of Richmond, City of New York) State of New York, Coal Area II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *What this order does—(1) Dealers' maximum prices; area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" (hereinafter called simply "anthracite") delivered to or at any point in State of New York, Coal Area II. Coal Area II comprises all of Richmond County in the City and State of New York.

(2) *Schedules of prices, charges and discounts.* The applicable prices authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered within Coal Area II, are set forth in Schedules I, II and III hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area II, whether or not you are located in Coal Area II.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service set forth in Schedule I higher than the schedule price for such service, or

(v) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, except that a dealer may comply with requirements or standards with respect to deliveries which have been or may be issued by an agency of the United States Government.

(vi) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to "Direct Delivery" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales". You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 50 lb., 25 lb. and 12 lb. paper bags. You will find Schedule III in paragraph (f).)

(2) Take the dollars-and-cents figure given in the applicable Schedule for the size and quantity you are selling.

(3) Deduct from this figure the amount of the discount which you are required to give as specified in the Schedule. If the Schedule makes no reference to any discount, you need give no discount. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for sales under Schedule I.

(5) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable Schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area II.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	Per net ton	Per net $\frac{1}{2}$ ton	Per 100 lbs. for sales of 100 lbs. or more but less than $\frac{1}{2}$ ton
Broken, egg, stove, nut...	\$14.25	\$7.40	\$0.85
Pea.....	12.70	6.60	.75
Buckwheat.....	10.30	5.40	.70
Rice.....	9.20	4.85	—
Barley.....	8.05	4.30	—
Screenings "A".....	6.20	3.10	—
Screenings "B".....	3.30	1.65	—

\* See definition in paragraph (r) (5).

*Required discounts.* You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net  $\frac{1}{2}$  ton, where payment is made within ten days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of broken, egg, stove, nut and pea sizes, and a discount of 25¢ per net ton on sales and deliveries of buckwheat, rice, and barley sizes, to consumers purchasing from one dealer, for delivery at one point, a quantity of 50 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 50 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 50 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the fiftieth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

#### Maximum Authorized Service Charges (Cents per Net Ton)

Special service rendered at the request of the purchaser:

Carrying upstairs (except for sales in 50 lb. bags or 100 lb. lots, amounting to less than one-half ton) ..... 15

\* For each two steps or fraction thereof above the fifth step. No charge is permitted for the first five steps.

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite sold at the dealer's "yard" to dealers or consumers.

FOR SALES OF ANTHRACITE OF THE SIZES AND IN THE QUANTITIES SPECIFIED

Size	To dealers—per net ton for sales of $\frac{1}{2}$ ton or more		To consumers	
	Per net ton for sales of $\frac{1}{2}$ ton or more	Per 100 lbs. for 100 lbs. or more but less than $\frac{1}{2}$ ton	Per net ton for sales of $\frac{1}{2}$ ton or more	Per 100 lbs. for 100 lbs. or more but less than $\frac{1}{2}$ ton
Broken, egg, stove, nut...	\$11.75	\$12.75	\$0.75	
Pea.....	10.20	11.20	.65	
Buckwheat.....	8.30	8.80	.60	
Rice.....	7.20	7.70	—	
Barley.....	6.05	—	—	
Screenings "A".....	5.15	—	—	
Screenings "B".....	2.25	—	—	

\* See definition in paragraph (r) (5).

(f) *Schedule III: "Sales of bagged coal".* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 50 lb., 25 lb., and 12 lb. paper bags.

#### MAXIMUM PRICE PER 50 LB. PAPER BAG

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut.....	\$0.38	\$0.42	\$0.52

#### MAXIMUM PRICE PER 25 LB. PAPER BAG

Nut.....	\$0.19	\$0.21	\$0.26
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#### MAXIMUM PRICE PER 12 LB. PAPER BAG

Nut.....	\$0.095	\$0.105	\$0.125
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(g) *Commingling.* If one size of anthracite is sold commingled with another size of anthracite, the maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "delivered sale", "yard sale", or a "sale of bagged coal", except in the following situation: Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, and in that event, if these sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags, in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined, for the quantity of each size in the combination.

(h) *Ex Parte 148 freight rate increase.* Since the Ex Parte 148 Freight Rate Increase has been rescinded by the Interstate Commerce Commission, dealers' freight rates are the same as those of December 1941. Therefore, you may not increase any schedule price on account of freight rates.

(i) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect, in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(j) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed; but the price may be adjustable to the maximum price in effect at the time of delivery.

(l) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with

the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(m) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(n) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(o) *Records.* If you are a dealer subject to this order, you shall preserve, keep, and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(p) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser or if, during December 1941, you customarily gave purchasers such sales slips or receipts.

(q) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the New York District Office of the Office of Price Administration or with the Price Panel of the appropriate War Price and Rationing Board.

(r) *Definitions and explanations.* When used in this Order No. G-14, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency or any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(5) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley and screenings shall refer to the same sizes of the same fuel as were sold and delivered in the State of New York—Coal Area II, with such designation during December, 1941.

"Screenings A" are screenings derived from the primary or initial screening of egg, stove, nut, pea, and buckwheat sizes of anthracite before any of these sizes have been reclaimed from screenings.

"Screenings B" are the resultant screenings after buckwheat and larger sizes of anthracite have been reclaimed from "Screenings A".

(6) "Direct delivery", in all situations except those involving "carrying upstairs" more than five steps, shall mean delivery to the buyer's bin or storage space. Where delivery involves "carrying upstairs" more than five steps, and such carrying service has not been requested by the purchaser, "direct delivery" means discharging the coal at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct delivery" in 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carrying upstairs" refers to the movement of coal to buyer's bin or storage space in baskets or other containers, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct delivery."

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Delivered at dealer's yard" as applied to sales of bagged coal in 50 lb., 25

lb., and 12 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(10) "Delivered to retail stores" as applied to sales of bagged coal in 50 lb., 25 lb., or 12 lb. bags, means deposit in that part of the store designated by the purchaser.

(11) "Sales to ultimate consumers" as applied to bagged coal in 50 lb., 25 lb., or 12 lb. bags, means sales by dealers other than sales at the dealer's yard, whether or not delivered to the consumer's premises.

(12) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(s) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable this order supersedes Revised Maximum Price Regulation No. 122.

(t) *Effect of order on Order No. G-14 as originally issued and on Order No. G-23.* Order G-14 under Revised Maximum Price Regulation No. 122, as issued on October 9, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G-23 issued under that Regulation on November 24, 1943, to the extent that Order No. G-23 was applicable to Order No. G-14.

NOTE: The record keeping requirements of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Revised Order No. G-14 shall become effective December 10, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 9th day of December 1943.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4598; Filed, March 31, 1944;  
12:16 p. m.]

[Region II Rev. Order G-3 Under RMPR 122,  
Amdt. 1]

#### PENNSYLVANIA ANTHRACITE IN NEW YORK CITY

Amendment No. 1 to Revised Order No. G-3 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in the boroughs of Manhattan, Bronx, Brooklyn and Queens, City of New York, State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G-3 is amended in the following respect:

1. Paragraph (s) is amended to read as follows:

(s) *Automatic roll-back pursuant to Amendment No. 3 to Order No. G-3 as originally issued.* Amendment No. 3 to

Order No. G-3, issued on October 21, 1943 and effective October 22, 1943, by its terms provided that all dealers subject thereto would, on April 1, 1944, revert to the schedules of prices in effect immediately prior to the amendment. Since that amendment increased "delivered sales" prices by 30¢ per net ton and 15¢ per net  $\frac{1}{2}$  ton, and "yard sales" prices by 10¢ per net ton, all dealers subject to this revised order were required, on and after April 1, 1944, to reduce their maximum prices for "delivered sales" as set forth herein by 30¢ per net ton and 15¢ per net  $\frac{1}{2}$  ton, and their maximum price for "yard sales" as set forth herein by 10¢ per net ton. The time at which such reduction must go into effect is extended to midnight April 30, 1944. No such reduction is required for sales under  $\frac{1}{2}$  ton. This roll-back shall be in addition to any further roll-back that may be occasioned by a reduction in supplier's maximum prices.

This Amendment No. 1 to Revised Order No. G-3 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4611; Filed, March 31, 1944;  
5:00 p. m.]

[Region II Order G-18 Under MPR 165 as Amended]

#### LAUNDRY SERVICE SUPPLIERS IN NEW YORK REGION

Order No. G-18 under § 1499.114 (d) of Maximum Price Regulation No. 165 as amended. Services. Permission to laundry service suppliers to indicate authorized price increases either with or without specification of percentage amount.

For the reasons set forth in the opinion issued simultaneously herewith, and pursuant to the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended and by § 1499.114 (d) of Maximum Price Regulation No. 165 as amended—Services, *It is hereby ordered:*

1. Every supplier of laundry and related services which has heretofore been required by any order issued by the New York Regional Office of the Office of Price Administration or by any district office in this region to inscribe upon each bill rendered to any customer the legend: "OPA permitted increase of \_\_\_\_\_% to maintain supply: \$\_\_\_\_\_" is hereby permitted, at its option instead to inscribe upon each such bill the following: "OPA permitted increase to maintain supply: \$\_\_\_\_\_"

2. Every provision in any order heretofore issued by this office or by any district office in Region II which is inconsistent with the provisions of paragraph (1) of this order is hereby modified to the extent indicated in that paragraph.

3. Except as in paragraph (1) hereof provided, every such services supplier

shall remain subject to all the provisions of any such order in which it is named or referred to, and shall remain subject to all the provisions of Maximum Price Regulation No. 165 as amended—Services.

4. This order may be revoked or amended by the Regional Administrator or Region II or by the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

This order shall become effective immediately.

Issued March 29, 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4610; Filed, March 31, 1944;  
5:00 p. m.]

[Region II Order G-31 Under RMPR 122,  
Amdt. 1]

#### BITUMINOUS COAL AND COKE IN NEW YORK CITY

Amendment No. 1 to Order No. G-31 under § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Adjustment in maximum prices for bituminous coal and coke delivered by dealers in Manhattan, Bronx, Brooklyn and Queens, City of New York, State of New York.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Order No. G-31 is amended in the following respects:

1. The preamble to the order is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this order and expiring midnight April 30, 1944, *It is ordered:*

2. Paragraph (f) is amended to read as follows:

(f) This order, which may be revoked, amended, or corrected at any time shall, unless earlier revoked or replaced, expire on midnight April 30, 1944.

This Amendment No. 1 to Order No. G-31 shall become effective March 31, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 28th day of March 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4612; Filed, March 31, 1944;  
5:00 p. m.]

## FEDERAL REGISTER, Tuesday, April 4, 1944

[Region VI Order G-15 Under RMPR 122, Amdt. 2]

## SOLID FUELS IN QUAD CITIES AREA

Amendment No. 2 to Order No. G-15 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Quad Cities Area.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered*, That paragraphs (c) (1) IV (C) 2 (d) and (c) (1) IV (C) (3) be amended to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales by direct delivery of specified mines, kinds and quantities of solid fuels. Column 1 describes the fuel for which prices are established; Columns 2, 3 and 4 show maximum prices for fuel delivered in quantities indicated by each column heading. All prices are stated on a net ton basis.

## MAXIMUM AREA PRICES FOR QUAD CITY AREA

1 Description	2 2 tons or more	3 1 ton or more	4 $\frac{1}{2}$ ton
VI. High Volatile bituminous coal from Dist. #10 (Illinois):			
C. Fulton-Peoria Sub District:	•	•	•
2. Egg:	•	•	•
d. S. G. #5, 3" x 2", 4" x 2"	\$6.45	\$6.70	\$3.60
3. Stove or Nut, S. G. #8: 2" x 1½"	6.70	6.95	3.75

This Amendment No. 2 to General Order No. G-15 shall be effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 25th day of March 1944.

RAE E. WALTERS,  
Regional Administrator.

[F. R. Doc. 44-4613; Filed, March 31, 1944;  
5:01 p. m.]

[Region II Order G-1 Under MPR 280  
Amdt. 1]

## FLUID MILK IN NEW YORK REGION

Amendment No. 1 to Order No. G-1 issued under § 1351.817 (a) of Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Maximum prices for inter-handler sales of bulk fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, as amended: *It is ordered*, That section (b) (1),

(2) and (3) be amended to read as follows:

(1) When such entire annual output, or a fixed percentage thereof is sold or delivered to a single purchaser pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 25¢ per cwt., f. o. b. primary handler's receiving or processing plant.

(2) Where a stated quantity but less than such entire annual output is sold or delivered to a purchaser pursuant to a contract therefor, the lower of either of the following:

(i) The contract price, or

(ii) The primary handler's fluid milk cost, plus a markup of 30¢ per cwt., f. o. b. primary handler's receiving or processing plant.

(3) Where fluid milk in any quantity is sold or delivered to a purchaser for two days or less during any calendar month, and such sale is not made pursuant to any prior contract between the seller and the purchaser, the primary handler's fluid milk cost, plus a markup of 40¢ per cwt., f. o. b. primary handler's receiving or processing plant.

This amendment to Order No. G-1 shall become effective April 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 24th day of March 1944.

DANIEL P. WOOLLEY,  
Regional Administrator.

[F. R. Doc. 44-4609; Filed, March 31, 1944;  
5:00 p. m.]

[Region VIII Order G-3 Under 18 (c),  
Amdt. 40]

## FLUID MILK IN WASHINGTON

## Correction

In F.R. Doc. 44-3281, appearing on page 2720 of the issue for Friday, March 10, 1944, the retail price for a half-gallon container should read ".26".

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 31, 1944.

## REGION I

Providence Order No. W-1, filed 9:37 a. m.

## REGION II

Binghamton Order No. 1-F, filed 9:42 a. m.  
Maryland Order No. 1-F, filed 9:44 a. m.  
Philadelphia Order No. 1-F, filed 9:44 a. m.  
Trenton Order No. 1-F, filed 9:42 a. m.

## REGION III

Charleston Order No. 1-F, Amendment No. 16, filed 9:53 a. m.  
Charleston Order No. 2-F, Amendment No. 10, filed 9:54 a. m.  
Charleston Order No. 4-F, Amendment No. 9, filed 9:54 a. m.

Charleston Order No. 5-F, Amendment No. 8, filed 9:55 a. m.

Charleston Order No. 6-F, Amendment No. 6, filed 9:55 a. m.

Charleston Order No. 7-F, filed 9:56 a. m.

Charleston Order No. 8-F, filed 9:56 a. m.

Charleston Order No. 33, filed 9:45 a. m.

Detroit Order No. 11, filed 9:58 a. m.

Escanaba Order No. 14-F, Amendment No. 3, filed 9:37 a. m.

Louisville Order No. 1-F, Amendment No. 23, filed 9:53 a. m.

Louisville Order No. 2-F, Amendment No. 17, filed 9:53 a. m.

Louisville Order No. 3-F, Amendment No. 10, filed 9:52 a. m.

## REGION IV

Jackson Order No. 2-F, Amendment No. 4, filed 9:57 a. m.

Jackson Order No. 9, Amendment No. 1, filed 9:44 a. m.

Jacksonville Order No. 4-F, filed 9:37 a. m.

Jacksonville Order No. 5-F, filed 9:38 a. m.

Nashville Order No. 5-F, Amendment No. 10, filed 9:59 a. m.

Nashville Order No. 8-F, Amendment No. 2, filed 9:58 a. m.

## REGION VI

La Crosse Order No. 9, Amendment No. 2, filed 9:57 a. m.

La Crosse Order No. 10, Amendment No. 2, filed 9:57 a. m.

La Crosse Order No. 11, Amendment No. 2, filed 9:57 a. m.

## REGION VIII

Los Angeles Order No. 1-F, Amendment No. 5, filed 9:42 a. m.

Sacramento Order No. 7 (Rev.), Amendment No. 2, filed 9:40 a. m.

Sacramento Rev. Order No. 8, Amendment No. 2, filed 9:40 a. m.

Sacramento Rev. Order No. 9, Amendment No. 2, filed 9:39 a. m.

Seattle Order No. 1-F, Amendment No. 9, filed 9:52 a. m.

Seattle Order No. 3-F, Amendment No. 9, filed 9:51 a. m.

Seattle Order No. 4-F, Amendment No. 9, filed 9:51 a. m.

San Diego Order No. 1-F, Amendment No. 29, filed 9:39 a. m.

Spokane Order No. 1-F, Amendment No. 3, filed 9:45 a. m.

Spokane Order No. 1-F, Amendment No. 4, filed 9:38 a. m.

Spokane Order No. 2-F, filed 9:45 a. m.

Spokane Order No. 2-F, Amendment No. 1, filed 9:39 a. m.

Spokane Order No. 6-F, Amendment No. 1, filed 9:38 a. m.

Spokane Order No. 22, Amendment No. 1, filed 9:51 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 44-4632; Filed, April 1, 1944;  
11:49 a. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 29, 1944.

## REGION III

Grand Rapids Order No. F-14-A, Amendment No. 11, filed 11:13 a. m.

Grand Rapids Order No. F-14-B, Amendment No. 11, filed 11:13 a. m.

Indianapolis Order No. 1-P, Amendment No. 1, filed 11:34 a. m.

Indianapolis Order No. 4-F, Amendment No. 7, filed 11:31 a. m.  
 Indianapolis Order No. 5-F, Amendment No. 7, filed 11:31 a. m.  
 Indianapolis Order No. 6-F, Amendment No. 7, filed 11:31 a. m.  
 Indianapolis Order No. 8-F, Amendment No. 6, filed 11:29 a. m.  
 Indianapolis Order No. 8-F, Amendment No. 7, filed 11:32 a. m.  
 Indianapolis Order No. 9-F, Amendment No. 6, filed 11:29 a. m.  
 Indianapolis Order No. 9-F, Amendment No. 7, filed 11:32 a. m.  
 Indianapolis Order No. 10-F, Amendment No. 6, filed 11:29 a. m.  
 Indianapolis Order No. 10-F, Amendment No. 7, filed 11:33 a. m.  
 Indianapolis Order No. 11-F, Amendment No. 6, filed 11:30 a. m.  
 Indianapolis Order No. 11-F, Amendment No. 7, filed 11:33 a. m.

## REGION IV

Birmingham Order No. 1-F, Amendment No. 5, filed 11:19 a. m.  
 Jacksonville Order No. 1-F, Amendment No. 17, filed 11:17 a. m.  
 Raleigh Order No. 11, filed 11:36 a. m.  
 Richmond Order No. 1-W, Amendment No. 1, filed 11:26 a. m.  
 Richmond Order No. 4-F, filed 11:26 a. m.  
 South Carolina Order No. 1-W, Amendment No. 2, filed 11:18 a. m.  
 South Carolina Order No. 2-F, Amendment No. 9, filed 11:18 a. m.  
 South Carolina Order No. 3-F, Amendment No. 3, filed 11:18 a. m.  
 South Carolina Order No. 11, Amendment No. 2, filed 11:18 a. m.

## REGION V

Kansas City Order No. 1-W, filed 11:24 a. m.  
 Oklahoma City Order No. 1-W, Amendment No. 1, filed 11:17 a. m.  
 Shreveport Order No. 2-F, Amendment No. 7, filed 11:14 a. m.  
 St. Louis Order No. 2-W, filed 11:35 a. m.  
 St. Louis Order No. 1-W, filed 11:35 a. m.  
 St. Louis Order No. G-15, filed 11:26 a. m.  
 St. Louis Order No. G-16, filed 11:28 a. m.

## REGION VI

Duluth-Superior Order No. 11, Amendment No. 1, filed 11:11 a. m.  
 La Crosse Order No. 1-F, Amendment No. 9, filed 11:22 a. m.  
 La Crosse Order No. 3-F, Amendment No. 5, filed 11:23 a. m.  
 La Crosse Order No. 4-F, Amendment No. 5, filed 11:22 a. m.  
 La Crosse Order No. 5-F, Amendment No. 5, filed 11:19 a. m.  
 Milwaukee Order No. 1-W, filed 11:23 a. m.  
 Moline Order No. 2-F, Amendment No. 6, filed 11:12 a. m.  
 North Platte Order No. 16, filed 11:29 a. m.

## REGION VIII

Phoenix Order No. 3-F, Amendment No. 12, filed 11:21 a. m.  
 Spokane Order No. 3-F, filed 11:24 a. m.  
 Spokane Order No. 4-F, filed 11:20 a. m.  
 Spokane Order No. 5-F, filed 11:19 a. m.  
 Spokane Order No. 6-F, filed 11:24 a. m.  
 Spokane Order No. 15, Amendment No. 1, filed 11:20 a. m.  
 Spokane Order No. 16, Amendment No. 1, filed 11:20 a. m.  
 Spokane Order No. 26, Amendment No. 1, filed 11:21 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
 Secretary.

[F. R. Doc. 44-4569; Filed, March 31, 1944;  
 11:46 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-2842]

## SCRANTON LACE CO.

## ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of March, A. D. 1944.

The Scranton Lace Company, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, No Par Value, from listing and registration on the New York Curb Exchange;

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

*It is ordered*, That said application be and the same is hereby granted, effective at the close of the trading session on April 10, 1944.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
 Secretary.

[F. R. Doc. 44-4645; Filed, April 1, 1944;  
 2:05 p. m.]

[File Nos. 54-54, 70-559, 59-50]

## NORTHERN STATES POWER CO.

## NOTICE OF FILING AND ORDER FOR HEARING ON AMENDED PLAN AND ON AMENDED DECLARATION AND APPLICATION AND ON OTHER MATTERS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of March 1944.

In the matter of Northern States Power Company (Delaware), File No. 54-54; and Northern States Power Company (Minnesota), File No. 70-559; and Northern States Power Company (Delaware) and each of its subsidiaries, File No. 59-50.

Northern States Power Company (Delaware), a registered holding company which owns all of the common stock of Northern States Power Company (Minnesota), having, on June 3, 1942, filed a plan for its liquidation and dissolution pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of enabling that company to comply with the provisions of section 11 (b) of said act (File No. 54-54), and Northern States Power Company (Minnesota), a subsidiary of Northern States Power Company (Delaware) which is also a registered holding company, having, on June 5, 1942, filed a declaration and application pursuant to sections 6, 7, and 12 of the act relating to various transactions incident to said plan (File No. 70-559), and the Commission having, on June 5, 1942, issued an order

instituting proceedings pursuant to sections 11 (b) (2), 15 (f), and 20 (a) with respect to the Northern States Power Company (Delaware) and each of its subsidiaries (File No. 59-50), which order also set the issues raised by the plan, the declaration and application, and the proceedings so instituted for consolidated hearings; and

Hearings having been held on the matters so consolidated from time to time commencing on July 8, 1942, and ending on August 5, 1943;

Notice is hereby given that on March 31, 1944, Northern States Power Company (Delaware) filed an amended plan for its liquidation and dissolution pursuant to the provisions of said section 11 (e). All interested persons are referred to said amended plan (File No. 54-54), which is on file at the office of this Commission for a statement of the transactions therein proposed which may be summarized as follows:

1. Northern States Power Company (Delaware), (hereinafter sometimes referred to as the Delaware Company), proposes to discharge the open account indebtedness in the amount of \$7,530,-852.08 owing by it to Northern States Power Company (Minnesota) by (a) the surrender to the latter company of 481,111 shares of the presently outstanding 4,000,000 shares, without par value, of common stock of Northern States Power Company (Minnesota), (hereinafter sometimes referred to as the Minnesota Company), for a credit of \$7,457,220.00 against such indebtedness, and (b) an assignment by the Delaware Company to the Minnesota Company of claims for federal income tax refunds for a credit of \$73,632.08 against such indebtedness. (The sum of \$7,457,220.00 at which the 481,111 shares are proposed to be surrendered is equivalent to about \$15.50 per share and is stated to represent the approximate cost of such shares to the Delaware Company as determined by it for the purposes of the federal income tax laws. The stated capital represented by the 481,111 shares is \$10,824,997.50, or \$22.50 per share.)

2. In connection with the foregoing, the Minnesota Company proposes to agree, pursuant to an order of this Commission, to annually retain in its earned surplus over a period of 16 $\frac{3}{4}$  years commencing April 1, 1942, an amount equivalent to equal annual installments on the sum of \$7,457,200.00 (namely, \$333,-905.44 in the year 1942 and \$445,207.16 in each of the years of the period thereafter), which retained surplus shall not at any time be available for the declaration of dividends on any class of its stock.

3. Concurrently with the aforesaid surrender, the Minnesota Company proposes to credit its paid-in surplus with the excess, namely, \$3,367,777.50 of the stated capital represented by the 481,111 shares over the amount at which such shares are to be accepted by the Minnesota Company and to then transfer such paid-in surplus credit to the stated capital represented by the then remaining 3,518,889 shares of its common stock. After such transfer the aggregate stated

value of the 3,518,889 shares would be \$82,542,780.00.

4. The Delaware Company proposes to take the corporate action necessary to cause the Minnesota Company to reclassify the remaining 3,518,889 shares of the common stock of the Minnesota Company then having an aggregate stated value of \$82,542,780.00 into 8,216,228 shares of common stock, without par value, having a stated value of \$6.75 per share or an aggregate stated value of \$55,459,539.00. It is proposed to transfer the amount by which the stated value of the common stock of the Minnesota Company will be thereby reduced, namely, \$27,083,241.00 to paid-in surplus. (The proposal with respect to the resulting paid-in surplus of the Minnesota Company is related hereinafter in the summary of the amended declaration and application filed by that company.)

5. The Delaware Company proposes, at or prior to the effective date of the amended plan, to pay in cash the dividends accumulated, but not paid, during the years 1942 and 1943 on its 7% Cumulative Preferred Stock and 6% Cumulative Preferred Stock. Such payment will require the sum of \$2,542,066.50 and will amount to \$3.50 and \$3.00 per share on the 7% Cumulative Preferred Stock and 6% Cumulative Preferred Stock, respectively.

6. The Delaware Company proposes to retire its outstanding capital stock of all classes by a distribution to the holders thereof of the 8,216,228 shares of the reclassified common stock of the Minnesota Company as follows:

10 shares of the reclassified common stock for each share of 7% Cumulative Preferred Stock of the Delaware Company and all remaining accumulated and unpaid dividends thereon, or an aggregate of 3,910,770 shares, representing 47.60% of all of the reclassified stock, to the holders of the 7% Cumulative Preferred Stock of the Delaware Company;

9 shares of the reclassified common stock for each share of 6% Cumulative Preferred Stock of the Delaware Company and all remaining accumulated and unpaid dividends thereon, or an aggregate of 3,519,891 shares, representing 42.84% of all of the reclassified stock, to the holders of the 6% Cumulative Preferred Stock of the Delaware Company;

2 shares of the reclassified common stock for each share of Class A Common stock of the Delaware Company, or an aggregate of 683,102 shares, representing 8.32% of all of the reclassified stock, to the holders of the Class A Common stock of the Delaware Company;

0.1405 share of the reclassified common stock for each share of Class B Common stock, or an aggregate of 102,465 shares, representing 1.24% of all of the reclassified stock, to the holders of the Class B Common stock of the Delaware Company;

In lieu of fractional shares of common stock, scrip certificates of the Minnesota Company will be issued representing rights to such fractional shares and exchangeable, when accompanied by other scrip certificates representing one or more full shares of stock, for certificates for such full shares, but entitling the

holders thereof to no rights as stockholders of the Minnesota Company until so exchanged. If not so exchanged, all scrip certificates will become void in five years from the effective date of the amended plan.

7. The Delaware Company proposes to transfer, without consideration, any assets remaining after the distribution of the reclassified common stock and the payment of the expenses incident to the consummation of the amended plan to the Minnesota Company. These assets will consist of only a relatively small amount of net current assets.

8. The Delaware Company proposes to dissolve upon the consummation of the amended plan.

If this Commission should approve the amended plan for the liquidation and dissolution of the Delaware Company, that company requests that this Commission apply to a United States District Court pursuant to sections 11 (e) and 18 (f) of said act to enforce and carry out the terms and provisions of the amended plan.

Notice is further given that on March 31, 1944, Northern States Power Company (Minnesota) filed an amended declaration and application relating to transactions incident to carrying out the amended plan of its parent. All interested persons are referred to said documents (File No. 70-559), which are on file in the office of this Commission, for a statement of the transactions therein proposed which may be summarized as follows:

1. The Minnesota Company proposes to accept the payment of the open account indebtedness owing to it by the Delaware Company in the manner and under the terms and condition outlined in paragraphs numbered 1 and 2 above.

2. The Minnesota Company proposes to credit its paid-in surplus with the sum of \$3,367,777.50 and thereafter to transfer such amount to the stated capital represented by its then remaining shares of common stock as related in paragraph numbered 3 above.

3. The Minnesota Company proposes to then reclassify its remaining 3,518,889 shares of common stock having, after the aforesaid transfer, an aggregate stated capital of \$82,542,780.00 into 8,216,228 shares of common stock, without par value, having a stated value of \$6.75 per share or an aggregate stated value of \$55,459,539.00; to transfer the amount of the reduction in stated capital, namely, \$27,083,241.00, to paid-in surplus, and to transfer the present balance sheet account, "Reserve for Possible Adjustment of Intangibles," in the amount of \$3,398,908.57 to paid-in surplus. After such adjustments the paid-in surplus of the Minnesota Company will be in the amount of \$33,286,903.08.

4. The Minnesota Company proposes to then create a "Reserve for Possible Adjustment of Utility Plant Accounts and Other Balance Sheet Accounts" in the amount of \$29,500,000.00 by a charge against its earned surplus and to eliminate the deficit in the latter account resulting from such charge, namely \$28,297,895.61, by a charge to its paid-in surplus.

5. The Minnesota Company proposes to charge the "Reserve for Possible Adjustment of Utility Plant Accounts and Other Balance Sheet Accounts" with (a) the sum of \$6,557,219.54 now lodged in its "Plant and Equipment—Intangibles" account, which sum allegedly represents the amount of discounts on securities and profit to affiliated interests in connection with acquisitions of property, and (b) the sum of \$80,490.50, which sum allegedly represents the excess of the cost to the Minnesota Company of 2,303 shares of the 7% and 6% Cumulative Preferred Stocks of the Delaware Company owned by it over the stated capital of \$149,809.50 to be represented by the 22,194 shares of the reclassified common stock that the Minnesota Company will receive under the amended plan in exchange for such preferred stocks.

6. The Minnesota Company proposes to amend its Articles of Incorporation so as to provide: (a) For an increase in the voting rights of its Cumulative Preferred Stock, \$5 Series, from one to three votes per share; (b) that in the event of defaults equivalent to four quarterly dividends on any series of preferred stock at the time outstanding, the preferred stock shall have the right, voting as a class, to elect, at the next meeting following such defaults, the smallest number of persons necessary to constitute a majority of the Board of Directors and such right once obtained shall continue until all dividends in default are paid; (c) that without the affirmative vote of the holders of a majority in number of the shares of preferred stock at the time outstanding, the company cannot create additional unsecured debt unless certain standards with respect to secured indebtedness, capital and surplus are met; and (d) that without the affirmative vote of the holders of a majority in number of the shares of preferred stock at the time outstanding, the company will not merge or consolidate with or into any other corporation unless such merger or consolidation shall have been approved by this Commission or by any successor Commission or regulatory authority of the United States of America having jurisdiction over the merger.

The Commission being required by the provisions of section 11 (e) of the act to find, after notice and opportunity for hearing and before approving any plan filed thereunder, that such plan, as submitted or as amended, is necessary to effectuate the provisions of section 11 (b), and is fair and equitable to the persons affected thereby; and it appearing appropriate that notice be given and a hearing held on the amended plan to afford all interested persons an opportunity to be heard with respect thereto; and

It being appropriate that notice be given and a hearing held with respect to the amended declaration and application of Northern States Power Company (Minnesota); that said amended declaration and application shall not become effective or be granted except pursuant to the further order of the Commission; and

It appearing that the common issues of fact and law arising in connection

with the amended plan, the amended declaration and application, and the proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) heretofore instituted and now pending make it appropriate that hearings on said matters be consolidated; *It is hereby ordered:*

(a) That the hearings on the amended plan of Northern States Power Company (Delaware), on the amended declaration and application of Northern States Power Company (Minnesota), and on the pending proceedings pursuant to sections 11 (b) (2), 15 (f) and 20 (a) with respect to Northern States Power Company (Delaware) and each of its subsidiaries be consolidated, subject to a reservation of jurisdiction to separate, whether for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to said amended plan or to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved;

(b) That the consolidated hearings be held on the 26th day of April, 1944, at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the hearing room clerk in Room 318. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its Rules of Practice, Rule XVII, on or before the 21st day of April, 1944.

*It is further ordered,* That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered,* That notice of this hearing be given to Northern States Power Company (Delaware) and Northern States Power Company (Minnesota) and to all other persons; such notice to be given to Northern States Power Company (Delaware) and Northern States Power Company (Minnesota) by registered mail and to all other persons by publication in the FEDERAL REGISTER, and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under said act; and

*It is further ordered,* That Northern States Power Company (Delaware) mail a copy of the amended plan and this notice and order at least fifteen days prior to April 26, 1944, to each of its stockholders at his last-known address; and

*It is further ordered,* That without limiting the scope of issues presented by said amended plan, by said amended declaration and application, or by the pending proceedings instituted pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of said act, particular attention will be di-

rected at said hearing to the following matters and questions:

1. Whether the amended plan as proposed or as modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby;

2. Whether the accounting adjustments proposed by Northern States Power Company (Minnesota) are appropriate and in accordance with sound accounting principles and practice;

3. Generally, whether the proposed transactions of Northern States Power Company (Minnesota) are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and, if not, what modification should be required to be made therein and what terms and conditions should be imposed to satisfy the statutory standards.

4. What orders, if any, should be entered pursuant to sections 11 (b) (2), 15 (f) and 20 (a) of said act, to require Northern States Power Company (Delaware) or any of its subsidiaries to take such steps as the Commission may find necessary and appropriate to effect complete compliance with the provisions of said sections.

By the Commission.

[SEAL]

ORVAL L. DUBoIS,  
Secretary.

[F. R. Doc. 44-4664; Filed, April 3, 1944;  
9:52 a. m.]

#### SELECTIVE SERVICE SYSTEM.

[Camp Order 135]

SENEY WILDLIFE PROJECT, MICH.

ESTABLISHMENT FOR CONSCIENTIOUS  
OBJECTORS

Pursuant to the authority contained in the Selective Training and Service Act of 1940, as amended, I hereby order:

1. That the Seney Wildlife Project is designated as work of national importance and shall be known as Civilian Public Service Camp No. 135. Said camp, located at Germfask, Schoolcraft County, Michigan, will be the base of operations for fish and wildlife work in the State of Michigan and registrants under the Selective Training and Service Act of 1940, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

2. That the work to be undertaken by the men assigned to Civilian Public Service Camp No. 135 will consist of fire suppression; construction of dams, roads, trails, fences and maintenance of lines, roads, trails, fire lanes and general improvement of wildlife breeding grounds by the control of flood waters; and various other allied projects under the technical direction of the Fish and Wildlife Service of the Department of the Interior. This Bureau will also be re-

sponsible for the housing, feeding, clothing, discipline and provision of necessary medical and dental care. Men shall be assigned to and retained in camp in accordance with the provisions of the Selective Training and Service Act of 1940 and regulations and orders promulgated thereunder. Supervision and control of the Seney Wildlife Project shall be under the Selective Service System through the Assistant Director of Selective Service in charge of Camp Operations.

LEWIS B. HERSHHEY,  
Director.

MARCH 31, 1944.

[F. R. Doc. 44-4667; Filed, April 3, 1944;  
10:17 a. m.]

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#### SOLID FUELS ADMINISTRATION FOR WAR.

##### ANTHRACITE

###### DISTRIBUTION AT WHOLESALE LEVEL AND USE IN POULTRY BROODERS OR HATCHERIES

Statement regarding Revised Regulation No. 11.

Revised Regulation No. 11 expires March 31, 1944. Since that regulation modifies the provisions of Revised Regulation No. 2, as amended, and Regulation No. 5, it is appropriate to issue this statement.

1. Revised Regulation No. 2, as amended, expires March 31, 1944, and it is contemplated that a new regulation controlling the distribution of anthracite at the wholesale level to all destinations and retail dealers within the United States will be issued effective April 1, 1944.

2. On April 1, 1944, the provisions of Regulation No. 5 will be in effect throughout the United States and orders for anthracite for use in poultry brooders or hatcheries shall be accorded preference pursuant to its provisions regardless of the place within the United States where any such poultry brooder or hatchery may be located.

Dated: March 30, 1944.

C. J. POTTER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 44-4496; Filed, March 30, 1944;  
11:50 a. m.]

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#### BY-PRODUCT, SPECIAL PURPOSE, AND LAKE COALS

##### INFORMATION TO BE INCLUDED IN ORDERS

Statement concerning information to be contained in orders for by-product and other special purpose coals, and for lake coals.

Since the issuance of Solid Fuels Administration for War Regulations Nos. 15 and 16, inquiry has been made as to whether industrial consumers of by-product and other special purpose coals, and lake coals are required to include in their orders for such coals the information specified in § 602.174 (a) of Solid Fuels Administration for War Regulation No. 10, as amended.

The information specified in § 602.174 (a) of Regulation No. 10 must be contained in orders for by-product and other special purposes coal regardless of method of transportation, notwithstanding that § 602.172 (b) excepts orders for such coals from the restrictions imposed by the regulation upon the basis of days' supply.

Except as specifically provided in § 602.174 (d) and (e), the information required in § 602.174 (a) must also be included in orders served upon producers and wholesalers (other than certain commercial dock operators) for coal for movement via the Great Lakes. However, orders for such coal served upon commercial dock operators located on Lake Superior or on the west bank of Lake Michigan, north of and including Waukegan, Illinois, need not contain such information [§ 602.174 (e) (iii)].

Nothing herein shall be deemed to modify in any way any regulation, order or direction issued by the Solid Fuels Administration for War.

Issued this 29th day of March 1944.

C. J. POTTER,  
Deputy Solid Fuels  
Administrator for War.

[F. R. Doc. 44-4495; Filed, March 30, 1944;  
11:32 a. m.]

#### WAR PRODUCTION BOARD.

##### GLOBE UPHOLSTERERS, INC.

###### CONSENT ORDER

Globe Upholsterers, Inc., a corporation located at 884 Park Avenue, Brooklyn, New York, is engaged in the upholstery business; it was charged by the War Production Board on February 21, 1944, with having wilfully violated Limitation Order L-135 in that during the period beginning on or about November 1, 1942, through February 4, 1943, it wilfully and in violation of Limitation Order L-135 processed, fabricated, worked on and assembled more than 870 pieces of wood upholstered furniture containing steel springs and coils, although Limitation Order L-135 provided that on and after November 1, 1942, no new wood upholstered manufacturer should process, fabricate, work on or assemble any new wood upholstered furniture which contained any iron or steel other than joining hardware. The Globe Upholsterers, Inc., admits the violation as charged except that it denies the violations continued after January 22, 1943, and has

consented to the issuance of this order. The Globe Upholstery Company, the successor co-partnership, has likewise admitted the violations by its predecessor and has likewise consented to the issuance of this order.

Wherefore, upon the agreement and consent of Globe Upholsterers, Inc., and Globe Upholstery Company, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, that:*

(a) Globe Upholsterers, Inc., and Globe Upholstery Company, during the three months period beginning April 1, 1944, and ending June 30, 1944, shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than five per cent of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders); and during the three months period beginning July 1, 1944, and ending September 30, 1944, it shall not consume in the production of furniture (other than for preferred orders) essential metal parts having a total cost value of more than ten per cent of the total cost value of essential metal parts consumed by it in the production of furniture during its metal parts base period (other than for preferred orders).

(b) Nothing contained in this order shall be deemed to relieve Globe Upholsterers, Inc., and Globe Upholstery Company, their successors or assigns from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on April 1, 1944, and shall expire on September 30, 1944.

Issued this 22d day of March 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-4657; Filed, April 1, 1944;  
4:53 p. m.]

#### WAR SHIPPING ADMINISTRATION.

##### VESSEL "AVELINDA"

###### DETERMINATION AS TO OWNERSHIP

Notice of determination by War Shipping Administration pursuant to section 3 (b) of the act approved March 24, 1943 (Public Law 17-78th Congress).

Whereas on August 8, 1942, title to the vessel AVELINDA (236007), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to Section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Public Law 17-78th Congress), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances, and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

Dated: March 31, 1944.

[SEAL] E. S. LAND,  
Administrator.

[F. R. Doc. 44-4603; Filed, March 31, 1944;  
4:26 p. m.]